

27.

THE
HISTORY
OF
INDEPENDENCY,
WITH
The Rise, Growth, and Practices of that
powerfull and restless Faction.

D^{US} AMBROSIIUS.

*Nec nobis ignominiosum est pati quod passus est Christus, nec vobis
gloriosum est facere quod fecit Judas.*

TACIT:

Scelera, sceleribus, tuenda.

VIRGILIUS.

— *sua cuique Deus fit diralibido.*

I St. JOHN C. 2. V. 16.

*Quicquid est in mundo est concupiscentia oculorum, concupiscentia
carnis, aut superbia vite.*

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THE HISTORY

OF THE INDIAN NATIONS

OF THE NORTH AMERICAN CONTINENT

FROM THE FIRST DISCOVERY TO THE PRESENT TIME

BY JAMES OSGOOD

OF THE ARMY

AND OF THE NAVY

OF THE UNITED STATES

IN TWO VOLUMES. VOL. I.

NEW YORK

1851

W. H. BROWN



Reader,



Entle or ungentle, *I write to all*, knowing that all have now got almost an equall share and interest in this Gallymaufry or Hotchpot which our Grandee Pseudopoliticians with their negative and demolishing Councells have made, both of Church and Common-wealth : and therefore I write in *a mixed stile*, in which (I dare say) there are some things fit to hold the judgments of the Gravest ; some things fit to catch the fancies of the lightest, and some things of a middle nature, applying my self to all capacities (as far as truth will permit) because I fore-see the *Catastrophe* of this Tragedy is more likely to be consummated by multitude of hands, then wisdom of heads. I have been a curious observer, and a diligent inquirer, after, not only the actions, but the Councels of these times ; and I here present the result of my endeavours to thee : In a time of misapprehensions it is good to avoid mistakings, and therefore I advise thee not to apply what I say to the Parliament, or Army in generall, if any phrase that hath dropped from my pen in haste (for this is a work of haste) seem to look asquint upon them : no, it is the Grandees, the Funto-men, the Hocas-pocasses, the State-Mountebanks, with their Zanyes and Fack-paddings, Committee-men,

The Epistle to the Reader.

Sequestrators, Treasurers, and Agitators, under them, that are here historified: were the *Parliament* (the major part whereof is in bondage to the minor part and their *Janisaries*) and the *Army* freed from these usurping and engaged *Grandeess*, who betrayed the honour, and Privileges of Parliament and Army to their own lusts; both would stand right, and be serviceable to the settling of a *firm, lasting peace under the King*: upon our *first principles, Religion, Laws, and Liberties*; which are now so far laid by, that whosoever will not joyne with the *Grandeess* in subvetting them, is tearmed a *Malignant*, as heretofore he that would *not adhere to the Parliament* in supporting them was accounted, so that the *definition* of a *Malignant* is turned the wrong side outward. The body of the Parliament and Army (in the midst of these distempers) is yet healthy, sound, serviceable; my endeavour is therefore to play the part of a friendly Physician, and preserve the body by purging peccant humours; were the Army under Commanders and Officers of better principles, who had not defiled their fingers with *publick monies*, their consciences by *complying with, and cheating all Interests* (*King, Parliament, People, City, and Scots*) for their owne private ends, I should think that they carried the Sword of the Lord, and of *Gideon*; but clean contrary to the Image presented to *Nebuchadnezzar* in a dream, the head and upper parts of this aggregate body are part of clay, part of iron, the lower parts of better mettle: I cannot reform, I can but admonish; God must be both the *Asculapius* and *Prometheus*, and amend all; and though we receive never so many *denials*, never so many *repulses* from him, let us take heed how we vote (even in the private corners of our hearts) no *Addresses*, no *Applications* to him. Let
us

The Epistle to the Reader.

us take heed of multiplying sins against God, lest he permit our *schismaticall Grandees to multiply Armies and forces* upon us, to war against Heaven as well as against our Religion, Laws, Liberties & Properties upon Earth, and keep us & our Estates under the perpetual bondage of the Sword, which hath been severall waies attempted in the Houses these two last weeks, both for the *raising and keeping of a new Army of 30000. or 40000. men in the seven Northern Associate Counties, upon established pay (besides this Army in the South)* and also for the *raising of men in each County of England*, and all to be engrossed into the hands of his Excellency, and such Commanders and Officers as he shall set over them; and this work may chance be carried on by the Grandees of *Derby-house* and the Army, if not prevented; for the Generall (notwithstanding this power was denied him in the House of Commons) hath sent Warrants into most Counties to raise Horse and Foot; yea, to that baseness of slavery hath our Generall and Army, with their under-Tyrants the Grandees brought us, that although themselves did heretofore set the *rascallity* of the Kingdome on worke, (especially the *schismaticall party*) to clamour upon the Parliament with *scandalous Petitions*, and make peremptory demands to the Houses, destructive to the *Religion, Laws, Liberties and Properties of the Land*, and the very *foundation of Parliaments*: to which, they extorted what Answers they pleased: and got a generall Vote, *That it was the undoubted right of the Subject to petition, and afterwards to acquiesce in the wisdom and justice of the two Houses*: Yet when upon 16. of May, 1648. the whole County of *Surrey* (in effect) came in so civill a posture to deliver a Petition to the Houses, that they were armed for the most part but with sticks: in which Petition there

The Epistle to the Reader.

is nothing contained which the Parliament is not bound to make good by their many Declarations and Remonstrances to the people, or by the Oaths of Allegiance, Supremacy, or Nationall Covenant, or by the known Lawes of this Land. Yet were they, 1. Abused by the Souldiers of White-Hall as they passed by, where some of them were pulled in and beaten. 2. When those Gentlemen of quality that carried the Petition came to Westminster-Hall, they found a Guard of Souldiers at the dore uncivilly opposing their entrance to make their addresse to the House. 3. When they pressed into the Hall and got up to the Commons dore, they were there reviled by the Guard. 4. The multitude which stood in the new Palace, (because some of them did but whoop as others did, who were purposely set on work (as is conceived) to mix with them, and disorder them) were suddenly surrounded with a strong party of Horse from the Mewes, and some more Companies of Foot from White-Hall, who by the appointment of the Committee of Schismatics at Derby-house were ready prepared for this designe, and caught them (as it were) in a Toyle, and with barbarous and schismaticall rage fell upon these naked, un-armed Petitioners, slew and wounded many without distinction, telling them, *They were appointed to give an Answer to their Petition, and they should have no other;* (as indeed they had not) though the Lieutenant Colonel that did all the mischief was called into the House of Commons, and had publick thanks given him at the Bar) took many of them Prisoners, and Plundered their Pockets, Cloaks, Hats, Swords, Horses, and some of them (even Gentlemen of as good quality as their Generall) were stripped of their Doublets. Those Gentlemen of quality who were in the Lobby before the Commons dore civilly expecting an Answer, were abused, and

It is reported by some, that Sir H. Mildmay, Col. Purcefoy, and the Speaker (doubting the House would give too good an Answer to their Petition) sent for these Horse & Foot.

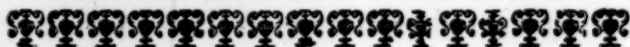
The Epistle to the Reader.

and violently driven out by the Guard to take their fortune amongst the rabble ; what *Tyrants* ever in the world refused to hear the *Petitions* and grievances of their people before ? The most Tyrannical government of the world is that of *Russia*, and *John Vasilowich* was the greatest Tyrant of that Nation, yet shall this Tyrant rise up in judgment at the latter day against these monsters. Behold what entertainment your *Petitions* shall have hereafter, if publick peace be the end of their desires : yet many *Petitions* ready drawne are sent up and downe in most Counties by Committee-men, and Sequestrators, to enforce men to give thanks for the foure Votes against the King : And many *Petitions* from Schismaticks, destructive to Religion, Laws, Liberties and Property, have been obruded upon the Houses, and received encouragement and thanks because they tend to subvert the fundamentall government of Church and Common-wealth, and cast all into the Chaos of confusion, whereby the *Grandees* may have occasion to keep up this Army, and perpetuate their Tiranny and our Burdens. And from these Tumults of their own raising, the *Grandees* pretend a necessity to keep this Army about this Town, to watch advantages against it : *Cromwell* having often said, *This Town must be brought to more absolute obedience, or laid in the dust* ; in order to which the *Souldiers* are now disarming the Country, and then the City is next, who being once disarmed, must prostitute their money-bags to these fellows, or be plundered. Reader, having spoken my sence to thee, I leave thee to thy own sence ; submitting my self to as much charity as God hath endowed thee withall. God that made all, preserve and amend all, This shall be the daily prayer of him that had rather die for his Country, then share with these Godly Thieves in eating out the bowels of his Country, and enriching himself with public spoiles.



Faults escaped, correct thus :

PAg. 1. lin. 21. read *their differences*. p. 9. l. 23. r. *has been*. p. 15. l. 1. r. *publike*
Proclamation. ibid. l. 37. r. *bad to do to*. p. 16. l. 13. r. *self-defence*. p. 17. marg.
l. 6. r. *by whom*. p. 18. l. 20. r. *Court of Request*. p. 29. l. 8. r. *whereof you*. p. 49. l. 21.
r. *rock is*. p. 51. l. 21. r. *friend into*. ibid. l. 25. r. *Presbyterian Commoners*. p. 53. l. 22.
Peaces place. p. 56. l. 32. r. *Trained Band*. p. 61. l. 22. r. *promising to*. ibid. l. 23. r. *desi-*
ring the. p. 66. l. 1. r. *instructions to stay*. ibid. l. 24. r. *Counties*.





The History of INDEPENDENCY.



OU have in *The mystery of the two Juntos*, PRES- BYTERIAN and INDEPENDENT, presented to your view these two Factions. (as it were in a Cock-pit pecking at one another) which rising originally from the two Houses and Synod have so much disturbed and dislocated in every joyn't both Church and Common-wealth. I must now set before you *Independency* Triumphant, rousing it self upon its Legs, clapping its Wings, and Crowing in the midst of the Pit, with its enemy under its feet: though not yet well resolved what use it can or may make of its victory.

But before I go any farther, it is fit I tell you what *Independency* is:

It is *Genus generalissimum* of all Errours, Heresies, Blasphemies and Schismes. A generall name and Title under which they are all united, as *Sampson's* Foxes were by the *Tailes*; and though they have severall opinions and fancies (which make their *vertiginous heads* turne different waies) yet profit and preferment (being their *tailes*) their last and ultimate end by which they are governed (like a Ship by his Rudder) and wherein they mutually correspond. The rest of your differences being but circumstantiall are easily playster'd over with the *untempered mortar* of Hypocrisie by their *Rabbies* of the Assembly, and their *Grandeets* of the two Houses and Army, in whom they have an *implicite faith*.

As *Mahomet's* Alchoran was a Gallemaufry of Jew and Christian; so are they a Composition of *Jew, Christian, and Turk*. With the Jew they arrogate to be the peculiar people of God,

I.
What Independence is.

Independency
is compounded
of Iudaisme.

B

the

The History of Independency.

the Godly, the Saints, who onely have right unto the creatures, and should possesse the good things of this world, all others being Usurpers: A Tenent so destructive to all humane society and civil government, that by virtue thereof they may and doe by fraud, or force, Tax, cate up with Free-quarter, coulsen, and Plunder the whole Kingdome, and account it but robbing the Egyptians: To this purpose they overthrow all the Judicatories, Laws, and Liberties of the Land, and set up Arbitrary Committees, and *weather-cock* Ordinances in their room, *made* and *unmade* by their own over-powering Faction in Parliament at pleasure, with the help and terrour of their Janisaries, attending at their dores.

Christianisme.

With the Christians some of them (but not all) acknowledge the Scripture, but so far onely as they will serve their turns, to *Pharisee* themselves, and *Publican* all the world besides; men filled with spirituall pride, meer Enthusiastiques, of a speculative and high-flying Religion, too high for Earth, and too low for Heaven: whereas a true and fruitfull Religion like *Jacob's* ladder, *Stat pede in terris, caput inter nubila condit*; must have one end upon earth as well as the other in Heaven. He that acknowledgeth the duties of the first Table to God, and neglecteth the duties of the second Table to man, is an Hypocrite both against God and man.

Turcisme.

With the Turke they subject all things, even *Religion, Laws,* and *Liberties* (so much cried up by them heretofore) to the power of the sword, ever since by undermining practises and lies they have jugged the *States sword* into the *Independent scabbard*.

2.

The E. of Essex and Sir W^m. Waller undermined to let in the Independents.

The Earle of *Essex* Generall of all the Parliaments Forces (a man though popular and honest, yet stubbornly stout, fitter for Action then Counsell, and apter to get a Victory then improve it) must be laid by, and his Forces reduced. The like for Sir *William Waller* and his Forces, that Commanders of *Independent* Principles and interests with Souldiers suitable to them, might by degrees be brought into their room to reap the harvest of those crops which they had sown.

This was the ground-work of the *Independent* designe, to Monopolize the power of the Sword into their own hands.

This could not be better effected then by dashing the Earle of *Essex* and Sir *William Waller* one against another: for which purpose

purpose that hot-headed Schismaticke Sir *A. Haslerigge* was imployed with Sir *W. Walker* and some others (whose *Athes* I will spare) with the E. of *Essex* to break them one upon another. This was at last effected by taking advantage of their severall misfortunes ; the one at *Lisithyell* in *Cornwall*, the other at the *Devises* in *Wiltsh.* where *Haslerigge* (a man too ignorant to command, and too insolent to obey) not staying for the Foot who lay round about the *Devises* in a storming posture, charged up a steep hill with his Horse only against the Lord *Wilmot's* Party, one Division so far before another, that the second Division could not relieve the first, thereby freeing Sir *Ralph Hopton* from an assured overthrow, and bestowing an unexpected Victory on the L. *Wilmot* : he received a wound in his flight, the smart whereof is still so powerfully imprinted in his memory, that he abhors fighting ever since ; witnesse his praying and crying out of Gun-shot at the Battle of *Cheriton*, when he should have fought ; and his complaint openly made in the House of Commons of the Earle of *Stanford* for Bastonadoing him. Which rashnesse of his (if it deserve not a worse name) was so far from being discountenanced, that he received notlong after a gift of 6500^l. from the House, and is lately made Governour of *Newcastle* and 3000^l. given him to repaire the Works there. I shall not need the spirit of prophesie to foresee that the tenth part of the said 3000^l. will not be bestowed upon those Works. Thus was he favoured by his party in the House who were thought to look upon this action as an acceptable service.

In farther progresse of this designe *Manchester* (a Lord, and therefore not to be confided in) was undermined and accused by his Lieutenant Generall *Cromwell* of high Crimes, whom he again recriminated with a Charge of as high a nature ; and when all men were high in expectation of the event, it grew to be a drawn battle between them ; whereby all men concluded them both guilty : *Manchester* was discarded.

Out of the ashes of these three arose that Phoenix (forsooth) a new modell'd Army under the Command of Sir *Thomas Fairfax*, a Gentleman of an irratiōall and brutish valour, fitter to follow another mans counsell then his owne, and obnoxious to *Cromwell* and the *Independent faction* (upon whose bottom he

3.
The E. of *Manchester* undermined.

The History of Independency.

4

stands) for his preferment, it being no dishonour to him to become the property to a powerfull Faction.

4.

The Victories of the new Modell how atchieved.

It pleased God to bestow many Victories upon this Army over the Kings Forces; then strong in bulk, but weakned by Factions, want of Pay and other distractions (whereby many of their Commanders not confiding in one another, began to provide for their future safety and subsistence) but above all, they had generally lost the peoples affections. To these their Victories, the constant pay, and supplies, and all other helps and encouragements from a concurring State, which their working and restless Faction carefully accommodated them withall (far beyond what any other Army had formerly) did much conduce, in so much as they cleared the field, and took in all the enemies Garrisons with so much facility, that to many men they seemed rather *Cauponantes bellum quam belligerantes*, to Conquer with silver then with steel.

5.

Artifices to make Cromwell and his new Modell popular.

Thus this Faction having got a Generall fit for their turne, and a Lieutenant Generall wholly theirs in Judgment and interest, were diligent to make him famous and popular, by casting upon him the honour of other mens Atchievements and valour. The News-books taught to speak no language but *Cromwell* and his Party; and were mute in such actions as he and they could claim no share in: for which purpose the Presses were narrowly watched. When any great exploit was half atchieved, and the difficulties overcome, *Cromwell* was sent to finish it, and take the glory to himself, all other men must be eclipsed that *Cromwell* (the Knight of the Sun and Don Quixote of the Independents) and his Party may shine the brighter.

6.

The new Modell new-modelled by degrees to put the Sword into the hands of Schismatics.

And that *Cromwell's* Army might be suitable to himself, and their Designs carried on without interruption or observation of such as are not of their Principles, all the Sectaries of England are invited to be Reserves to this Army; and all pretences of scandals and crimes laid hold of at their owne Councils of War to casheer and disband the Presbyterian party, that Independents might be let into their rooms, though such as (for the most part) never drew Sword before: so that this Army (which boasteth it self for the Deliverer, nay the Conquerour of two Kingdoms) is no more the same that fought at *Wazeby*, then Sir Francis Drake's Ship that brought him home can be called the same Ship that carried

ried him forth about the earth, having been so often repaired, and thereby suffered so many substractions and additions, that hardly any part of the old Vessell remained. It was therefore nominally and formally, not really and materially the same.

The said *Mystery of the two Junto's* farther tells you, that the Independent *Junto* bottomed all their hopes and interests upon keeping up this Army; whereby to give the Law to King, Kingdom, Parliament, and City, and to establish that *Chimera* called *Liberty of Conscience*. That this was *Cromwell's* ambition formerly, the Earle of *Manchester's* aforesaid Charge against *Cromwell* (though let fall without prosecution, lest so great a mystery should be discovered) makes it probable, and his later practises (upon which I now fall) makes it infallible.

The Houses long since (for ease of the people) in a full and free Parliament ordained the disbanding of this Army, onely 5000 Horse 1000 Dragoons, and some few Fire-locks to be continued in pay for safety of this Kingdome, and some of them to be sent for *Ireland*: for which purpose they borrowed 200000*l.* of the City, (being the same summe which disbanded the *Scots*) and for the rest of their Arrears they were to have Debenters and security, without all exceptions: such tearms of advantage as no other disbanded Souldiers have had the like; neither are these like to attain to again; so that they have brought the Souldiers into a *losse*, as well as into a *labyrinth*: their continuing in Armes without, nay against *Lawfull authority*, being a manifest act of *Treason* and *Rebellion*; and so it is looked upon by the whole Kingdome; nor can the Parliaments subsequest Ordinances, (which all men know to be extorted by force, as hereafter shall appear) help them.

To the passing of this Ordinance *Cromwell's* Protections in the House with his hand upon his brest, *In the presence of Almighty God before whom he stood, that he knew the Army would disband and lay downe their Armes at their dore, whensoever they should command them*, conduced much: This was maliciously done of *Cromwell* to set the Army at a greater distance with the *Presbyterian* Party, and bring them and the *Independents* Party neerer together; he knew the Army abominated nothing more then Disbanding and returning to their old Trades: and would hate the Authors thereof.

7.
The Army
Voted to be
Disbanded
through *Crom-*
well's craft.

The History of Independency.

6

8.

Agitators raised by Cromwell.

9.

The beginning of the project to purge the Houses.

10.

The Army put into mutiny against the Parliament, where by Cromwell monopolizeth the Army.

11.

Cromwell's Family in the Army.

12.

Cromwell and Ireton usurp Offices in the Army.

And at the same time when he made these *protests* in the House, he had his *Agitators* (*Spirits* of his and his Son *Ireton's conjuring up* in the Army, though since *conjured downe* by them without requitall) to animate them against the major part of the House (under the notion of *Royallists*, a Malignant party, and enemies to the Army) to ingage them against Disbanding and going for *Ireland*, and to make a Trayterous Comment upon the said Ordinance, to demand an *Act of indemnity*, and relie upon the advice of Judge *Jenkins* for the validity of it, and to insist upon many other high demands, some private, as Souldiers; some publick, as States-men.

Cromwell having thus by mutinying the Army against the Parliament, made them his owne, and *monopolized* them, as he did formerly his *Brew-house at Ely* (which he might easily do, having before-hand filled most of the chief Offices in the Army with his owne kindred, allies, and friends: of whose numerous family, Lieut. Col. *Lilburne* gives you a list in one of his Books) he now flies to the Army, doubting (his practises discovered) he might be imprisoned: where he and *Ireton* assuming Offices to themselves, acted without Commission; having not only been ousted by the *self-denying Ordinance* (if it be of any power against the godly) but also their severall Commissions being then expired: and Sir *Thomas Fairfax* having no authority to make generall Officers, as appears by his Commission, (if he make any account of it) and therefore *Sprigg*, alias *Nathaniel Fines*, in his Legend or Romance of this Army, called *Anglia rediviva*, sets down two Letters sent from Sir *Thomas Fairfax* to the Speaker *William Lenthall*, one to desire *Cromwell's* continuance in the Army: another of thanks for so long forbearing him from the House: see *Ang. Red. p. 10, 11, 29.* which needed not, had he been an Officer of the Army.

And now both of them bare-faced, and openly joyne with the Army at *Newmarket*, in trayterous Engagements, Declarations, Remonstrances, and Manifesto's; and Petitions penn'd by *Cromwell* himself, were sent to some Counties to be subscribed against supposed Obstructors of Justice, and Invaders of the Peoples Liberties in Parliament, and the Army at *Newmarket* and *Triplo* heath prompted to cry Justice, Justice, against them; and high
and

and treasonable demands, destructive to the fundamentall Priviledges of Parliament were publickly insisted upon; many of which for quietnesse sake, and out of compassion to bleeding *Ireland* were granted: yet these restless spirits (hurried on to farther designs) made one impudent demand beget another; and when by Letters and otherwise they had promised, that if their then present demands were granted, they would there stop and acquiesce, yet when they seemed to have done, they had not done, but deluded and evaded all hopes of peace by mis-apprehensions and mis-constructsions of the Parliaments concessions; making the mis-interpretation of one grant, the generation of another demand, so that almost ever since the Parliament hath nothing else to do but encounter this *Hydra*, and roll this stone.

Having thus debauched the Army, he plotted in his own Chamber the securing the Garrisons, Magazine, and Traine of Artillery at *Oxford*, and surprizing the Kings Person at *Holdenby*: which by his instrument Coronet *Joyce*, with a commanded Party of Horse he effected: though afterwards (having recourse to his usuall familiarity with Almighty God) he used his name to protest his ignorance and innocence in that business both to the King and Parliament; adding an execration upon his Wife and Children to his Protestation; yet *Joyce* is so free from punishment, that he is since preferred, and his Arrears paid by their meanes. And though both Houses required the Army to send his Royall Person to *Richmond*, to be there left in the hands of the Parliaments Commissioners, whereby both Kingdoms might freely make Addresses to Him; (for they had formerly excluded and abused the Scots Commissioners, contrary to the Law of Nations, and Votes of both Houses; and yet then granted free access to the most desperate persons of the Kings Party) yet they could obtaine no better answer from these rebellious Saints, then *That they desired no place might be proposed for His Majesties residence neerer London, then where they would allow the Quarters of the Army to be.* This was according to their old threats of marching up to *London*, frequently used, when any thing went contrary to their desires. They knew what dangerous and troublesome guests we should find them here.

13.
Securing *Oxford*, and surprizing the King from *Holdenby*.

Manifesto of the Army, 27. June 1647.

How much is this Army degenerated since *Cromwell* and his demure

demure white-livered Son-in-law *Ireton* poysoned their manners with new Principles? *Anglia Rediviva*, p. 247. tells us that about *Woodstock* private overtures were made by some from Court for receiving His Majesty, who was minded to cast himself upon the Army: but such was their faithfulness in that poynt, that conceiving it derogatory to the honour and power of Parliament, (for His Majesty to wave that highest Court, and address himself to any others) and therefore inconsistent with their trust and duty, being Servants of the State, they certified the Parliament thereof, and understanding it to be against their sense also, they absolutely refused to be tampered with. Oh, how faithfull then! how perfidious and *Cromwellized* are they now! let their frequent tampering with the King and His Party, to the amazement of the Kingdome, and the abusing of the King testify. Read *Putney Projects* written by a considerable Officer of the Army, and a friend to *Cromwell*, though not to his false practices.

14.
Their project
to keep the
Parliament in
wardship.

Having thus gotten the King (the first and most visible legall authority of *England*) into their possession; their next designe is to get the *Parliament* (the second legall authority of *England*) into their power.

15.
Purging the
Houses again.

This could not be effected but by purging the two Houses of *Presbyterian* Members (especially the most active, and such as had laboured their Disbanding) that an *Independent* Parliament and Army might govern the Kingdome: In order to which designe they sent to the House of Commons in the name of Sir *Thomas Fairfax* and the Army, a generall and confused Charge of High Treasons and other misdemeanors against eleven Members, for things done (for the most part in the House) and many of the principall, such as the House had long before examined and acquitted them of, and such as the whole Kingdome knows *Cromwell* and *Ireton* to be apparently guilty of: as, *Trucking with the King, &c.*

16.
Accusing the
11 Members.

One chief Article insisted upon in the Charge was, *That by their power in the House they caused the Ordinance for Disbanding this Army to passe.* Here you see where the shoe wrings them. This Charge was not subscribed by any Informer that engaged to make it good, or else to suffer punishment, and make the House and the Parties accused reparations: as by the *Stat. 25 Edw. 3. c. 4. 27 Edw. 3.*

27 Ed.3.c.18. 38 Ed.3.c.9. 17 R.2.c.6. 15 H.6.c.4. but especially by 31 H.6.c.1. concerning *Jack Cade* (which comes nearest this case) ought to be: And they professed in the 2, 3, 4. Article of their Charge, *That they were disoblighd and discourag'd from any farther engagement in the Parliaments service or Irelands preservation; and demanded the House should forthwith suspend the impeached Members from any longer sitting and acting.* Whereupon the House after full debate in a full and free Parliament, Resolved June 25. 1647. That by the Lawes of the Land no Judgement could be given for their suspension upon that generall Charge, before particulars produced and proofes made. Yet the Army (which had now learned onely to acquiesce in their owne prudence and justice) insolently threatned to march up to *Westminster* against the Parliament, in case the said 11. Members were not suspended: and courted the City of *London* to sit newters, and let them work their will with the Parliament.

17.
Threats to
march up to
London.

18.
London solicited
to sit Newters.

The 11. Impeached Members therefore modestly withdrew to free the House from such danger as they might incur by protecting them, as in Justice and Honour they were bound to doe. After this, the Army sent in their particular Charge: and Libellously published it in Print by their own Authority. To which the 11 Members sent in, and published their Answer: Upon which there had been no Prosecution, because they pretend first to settle the Kingdome, but if they stay till these fellowes have either authority, will, or skill to settle the Kingdome, they shall not need to make ready for their Tryall till Doomes day. Here you have a whole Army for Accusers, and the chief Officers of the Army (being Members of the House) not onely accusers, but parties, witnesses, and Judges, and carrying the rules of Court, and Lawes by which they judge, in their Scabards. And the Charge or Impeachment, such (as all men know) *mutatis mutandis* are more suitable to *Cromwells* and *Iretons* Actions, then the Accused parties. If the proceedings in the Kings name against the five Members mentioned in *The exact Collection*, pag. 38. were Voted a *Traiterous designe against King and Parliament*; and the arresting any of them upon the Kings Warrant, an *Act of publick enmity against the Common-wealth*: How much more *Treasonable* were these proceedings; and the Armys March towards *London* to en-

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force

force them; and their arresting *Anthony Nicholls*, having the Speakers Passe, and leave of the House; Colonell *Burch*, being upon service of the Parliament going for *Ireland*; and Sir *Samuel Luke*, resting quiet in his owne House?

19. The first occasion of quarrell against the City. Whilst these things were acting, *Cromwell* finding he could not have his will upon the Parliament, but that he must make the City of *London* (who had denyed the newtrality) his Enemies, cast about how to cheat the Country people of their affections; (for to have both City and Country his Enemies in the posture his Army was then in, was dangerous) he therefore by many Printed books and papers, spread all *England* over by his *Agitators*, and by some journey-men Priests, (who's *Pulpits* are the best *Juglers Boxes* to deceive the simple) *Abfalon*-like, wooeth them to make loud complaints of the pressures and grievances of the People: to neglect the King and the Parliament, and make Addresses to the Army as their only *Saviours*, the Arbitrators of Peace, restorers of our Laws, Liberties and Properties, settlers of Religion, preservers of all just interests: pretending to settle the King in his just Rights and Prerogatives; to uphold the Priviledges of Parliament, establish Religion, to reforme, and bring to accompt all Committees, Sequestrators, and all others that had defiled their fingers with publique money, or goods; To free the people from that all-devouring Excise and other Taxes; To redresse undue elections of Members; To relieve *Ireland*: Things impossible to be performed by an Army, and now totally forgotten, so that they have only accepted of their own private demands as Souldiers; That the Parliament should own them for their Army; Establish pay for them; put the whole Militia of this Kingdome and *Ireland*, both by Sea and Land into their Hands; and Vote against all opposite forces. But they are now become the only protectors of all corrupt Committee-men, Sequestrators, Accomptants to the State, and all other facinorous persons, who comply with them to keep up this Army, for their own security against publick Justice.
20. Courting and cheating the Country and all other interests to lull them asleep, till the Grandees had wrought their will upon City & Houses.
21. Petitions to the Army, and for the Army.

Having thus courted and cheated all the publike and just Interests of the Kingdome, they deceived the people so far as to make them *Issachar*-like patiently to bear the burden of free quarter, and to make addresses to the Army for themselves, by Petitions

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The History of Independency.

II

ons to which they gave plausible answers, That *this*, and *This* was the sense of the Army: as if the sense of the Army had been the supream Law of the Land, and to make addressees to the Parliament for the Army not to be *disbanded* (for which purpose their *Agitators* carried Petitions ready penn'd to be subscribed in most Counties.)

The people being thus lulled asleep, they now cast about how to make benefit of a joynt quarrell both against the Parliament and City, (since they could not separate them) or at least against the Presbyterian party in both; They had withdrawn their *quarters* (in a seeming obedience to Parliaments commands) 30 miles from *London*, (of which they often brag in their Papers) and presumed the suspension of the 11 *Members*, had strook such an awfulness into the Houses, that most of the *Presbyterian* Members would either absent themselves (as too many indeed did) or turn renegadoes from their own principles to them: but found themselves notwithstanding opposed, and their desires retarded (beyond their expectation) by the remainder of that Party. They must therefore finde out a quarrell to march against the City, and give the Houses another *Purge* stronger then the former.

23
A quarrell against the City invented.

The Army being principled, and put into a posture futable to *Cromwells* desire, and the Country charmed into a dull sleep, now was his time to pick a quarrell with the City, that what he could not obtain by fair means, he might effect by foule; To make them desert and divide from the Parliament; And leave it to be modelled according to the discretion of the Souldiery. He could not think it agreeable to policy, that this City which had slaine his Compeere and fellow Prince *Wat Tyler* (the Idoll of the Commons in *Rich. 2.* time) and routed his followers (four times as many in number as his Army) should be trusted with their own Militia: The City being now far greater, more populous and powerfull then in his dayes. In a full and free Parliament upon mature debate, both Houses by Ordinance dated 4 May 1647. had established the *Militia of the City of London* for a year, in the hands of such Citizens as by their Authority & approbation were nominated by the Lord Major, Aldermen, and Common-Councell; and though the Army had recruited it self without Autho-

23
The Army demand the City Militia to be changed into other hands.

See the Letter
and Remon-
strance from
Sir Tho: Fair-
fax and the Ar-
my, pag 8, 9.

city, and had got themselves invested with the whole power of all the Land forces of the Kingdome in pay of the Parliament; so that there was nothing left that could be *formidable* to them but *their own crimes*; and that it was expected they should goe roundly to work upon those publick remedies they had so often held forth to the people in their popular printed Papers: yet the Army (contrary to what they promised to the City in their *Letter* 10. *June*, and their *Declaration*, or Representation 14. *June* 1647. That they would not goe beyond their desires at that time expressed, and for other particulars would acquiesce in the justice and wisdom of the Parliament (behold their modesty!) by a *Letter* and *Remonstrance* from Sir *Thomas Fairfax* and the Army, with unresistible boldnesse demand the *Militia* of the City of *London* to be returned into other hands, without acquainting the City or their Commissioners (then resident in the Army to keep a good correspondency with them) therewith. Upon which letter alone the House of Commons (being very thin, & many Members driven away by menaces) upon *July* 22. Voted the repealing the said Vote of 4 *May*, and a new Ordinance for reviving the old *Militia*, presently passed and transmitted to the Lords the same day about seven of the clock at night, and there presently passed without debate; though moved by some to be put off untill the City (whose safety and priviledges it highly concerned) were heard what they could say to it.

Observe that neither by the said paper from the Army; nor by any man in the two Houses, any thing was objected against any of the *new Militia*.

And indeed, formerly the Parliament never made choice of, enlarged or changed the City *Militia*, but they were still pleased first to communicate the same to the Common Councell. A respect justly shewed to that City which had been such good friends to them. But of late, since the Parliament have shifted their old Principles and Interests, they have learned to lay by their old friends. The pretence for this hasty passing the Ordinance, was to prevent the Armies so much threatened March to *London*, if the Houses refused to passe it; and the Cities opposition, if not passed before their notice of it. But the reall designe was to strike a discontent and jealousie into the City, thereby to force them to
some

some act of self-defence, which might give a colour to the Army to march up against them, and their friends in the Houses.

The unexpected news of this changing their *Militia*, caused the City (*June 24.* being Saturday) to meet in Common Council, where, (for some reasons already expressed) and because the repealing this Ordinance upon no other grounds than the Armies imperious desires, might justly be suspected, to shake all other Ordinances, for security of mony, sale of Bishops lands, by making them repealable at the Armies pleasure; they resolved to petition the Houses upon monday morning following, being *26. July*, which they did by the Sheriffs, and some Common Council men: But so it hapned that about *one thousand Apprentices* wholly unarmed came down two or three howers after with another *Petition* of their own to the Houses: Therein claiming, that to order the City *Militia* was the Cities Birth-right belonging to them by *Charters*, confirmed in *Parliaments*, for defence whereof they had adventured their lives as far as the Army. And desired the *Militia* might be put again into the same hands in which it was put with the Cities consent by Ordinance, *May 4.*

Upon reading these *Petitions* the Lords were pleased to revoke the Ordinance of *July 23.* and revive that of *May the 4.* by a new Ordinance of *July 26.* which they presently sent downe to the Commons for their consents, where some of the Apprentices (presuming they might have as great an Influence upon the House to obtain *their due*, as the Army in pay of the Parlihad to obtain *more then their due*) in a childish heat were over-clamorous to have the Ordinance passed, refusing to let some Members passe out of the House, or come forth into the Lobby when they were to divide upon the question about it, (so ignorant were they of the customs of the House) which at last passed in the Affirmative about three of the clock afternoon: and then most of the Apprentices departed quietly into the City. After which, some disorderly persons (very few of them Apprentices) were drawn together and instigated by divers Sectaries and friends of the Army who mingled with them (amongst whom, one *Highland* was observed to be all that day very active; who afterwards (*26. Sept.*) delivered a *Petition* to the House against those Members that late, and was an Informer and Witness examined about the said Tumult) gathered

24.
The City troubled at the change of their *Militia*.

I appeal to Colonel *Harvy* whether this did not fright him.

25.
The City petition the Houses for their *Militia* again.

26.
The Tumult of Apprentices, *26. July.*

27.
The Tumult of Apprentices ceased, but artificially continued by Sectaries.

thered about the Commons dore and grew very outrageous, compelling the *Speaker* to return to the *Chaire* after he had adjourned the House: and there kept the Members in untill they had passed a Vote, *That the King should come to London to Treat.*

This was cunningly and premeditatedly contrived, to encrease the scandal upon the City; yet when the Common Councell of London heard of this disorder as they were then sitting: they presently sent down the *Sheriffs* to their rescue with such strength as they could get ready (their *Militia* being then unsetled by the contradicting Ordinances of the Parliament) who at last pacified the Tumult, and sent the *Speaker* safe home; which was as much as they could do in this intervall of their *Militia*, being the Houses own Act.

The *Lords* adjourned untill the next Friday; the *Commons* but untill the next day. Tuesday morning the *Commons* sate againe quietly, and after some debate adjourned untill Friday next, because the *Lords* had done so.

28.
The *Speaker* of the Commons complained of a report, that he meant to flie to the Army: yet ran away to the Army.

The next day being Wednesday, the monthly Fast, the *Speaker* and *Members* met in *Westminster Church*: where the *Speaker* complained (in some passion) to Sir *Ralph Ashton* and other Members of a scandalous report, raised on him in the City, as if he intended to desert the House, and flie to the Army, saying, he scorned to do such a base, unjust, dishonourable act; but would rather die in his House and Chaire: which being spoken in a time and place of so much reverence and devotion, makes many think his secret retreat to the Army (the very next day) proceeded not so much from his own judgment, as from some strong threats from *Cromwell* and *Ireton* (who were the chief contrivers of this desperate plot to divide the City and Houses, and bring up the Army to enthral them both) That if he did not comply with their desires, they would cause the Army to impeach him for coufening the State of many vast sums of money.

29.
The City proclaim against Tumults.

And truly, I remember I have seen an intercepted Letter, sent about the time of his flight, from the Army to *William Lenthall* *Speaker*, without any name subscribed to it, only the two last lines were of *John Rushworth's* hand; earnestly importuning him to retire to the Army, with his friends.

On Thursday morning early, the newly renewed *Militia* of London

London, made publike protestation throughout the City and Suburbs, and set up printed Tickets at Westminster: *That if any persons should disturb either of the two Houses, or their Members, the Guards should apprehend them, and if resistance were made, kill them:* yet notwithstanding, the Speaker and his party (carrying the causes of their fear in their own consciences) in the evening of that day secretly stole away to Windsor to the Head quarters.

Upon Friday morning at least 140. of the Members assembled in the House (they that fled being about 40.) whither the Sergeant coming without his mace, being asked where the Speaker was? answered, *he knew not well; that he had not seen him that morning, and was told he went a little way out of Town last night; but said, he expected his return to the House this morning:* after that, being more strictly questioned about the Speaker, he withdrew himself, and would not be found, till the House (after four howrs expectation; and sending some of their Members to the Speakers house, who brought word from his servants, that they conceived he was gone to the Army) had chosen a new Speaker, Mr. Henry Pelham, and a new Sergeant, who procured another mace. The like (*mutatis mutandis*) was done by the Lords, to prevent discontinuance and fayler of the Parliament for want of Speakers to adjourn and continue it; and take away all scruples.

As for the *Petition and Engagement of the City* (so much aggravated by the Independent party) it was directed to the Lord Major, Aldermen, and Common Councill from divers Citizens, Commanders and Souldiers, and was occasioned by some intelligence they had, that the Army would demand an alteration of the City Militia, in order to a designe they had against the City. It was only intended to the Common Hall, but never presented, as the Souldiers Petition was to their Generall, which being taken notice of by the Parliament as it was in agitation, was so much resented by the Souldiery as to put themselves into the posture they are now in (as Lieut. Col. Lilburne sayes in one of his Books) to act no longer by their Commissions, but by the principles of nature and self-defence. Nor did the said engagement contain any thing but resolutions of self-defence in relation to the City: so that we cannot see what the Army had to declare their sense upon it in their Letter, 23. July. and so put a prejudice upon it in the Houses. I have

30.
The Houses
appeare, the
Speakers being
at the Army.

31.
New Speakers
chosen.

32.
Petition and
engagement
of the City.

insisted

insisted the more particularly upon this *Grand Imposition* as being the *anvil* upon which they hammered most of their subsequent designs, *violencies* and *illegal accusations*.

33.
Votes passed
after new Spea-
kers chosen.

The new Speakers chosen; the *two Houses* proceeded to vote and *act*, as a Parliament. And first, the *House of Commons* voted in, the *eleven impeached Members*; next they revive and set up again the *Committee of Safety* by Ordinance of both Houses enabling them to joync with the *Committee* of the restored *City Militia*: giving power by severall Ordinances to them, to Lift and Raise Forces, appoint Commanders and Officers, Issue forth Armes and Ammunition for defence of both Houses and the City against all that should invade them: Which votes and preparations for their safe defence (warranted by the same law of nature as the *Armies papers* affirm) were not passed, nor put in execution untill the *Army* (every day recruited contrary to the Houses *Orders*) were drawing towards *London*, and had with much scorn disobeyed the Votes and Letter of both Houses, prohibiting them *to come within thirty miles of London*.

34.
Members em-
agement with
the Army.

The *Army*, to countenance their Rebellion, draw the *two Speakers* and *fugitive Members* to sit in consultation and passe Votes promiscuously with the *Councell of War* in the nature of a *Parliament*, and to signe an Engagement (*dat. 4. August.*) *to live and die with Sir Tho: Fairfax and the Army under his command*; affirming therein that generally throughout their sense agreeth with the *Declaration* of Sir Tho: Fairfax, and his *Councell of War*: shewing the grounds of their present advance towards the *City of London*. In which *Declaration* the *Councell of the Army* take upon them, *To be supreme Judges over the Parliament*: Telling you who of the *two Houses* they hold for persons in whom the publicke trust of the *Kingdome* remaineth, and by whose advice they mean to govern themselves in managing the weighty affairs of the *Kingdome*: They declare against the late choice of a *new Speaker* by some Gentlemen at *Westminster*; and that as things now stand there is no free nor legall Parliament sitting, being through the violence (*29. July*) suspended. That the *Orders* and *Votes, &c.* passed *26 July* last, and all such as shall passe in this Assembly of some few Lords and Gentlemen at *Westminster* are void and null, and ought not to be submitted unto.

Behold

Behold here, not only a power *without the Parliament Houses*, judging of the very *essence of a Parliament*, and the validity of their resolutions, but usurping to themselves a *Negative voice*, which they deny to the *King*; and yet a Schismaticall faction in the two Houses complying with them, and betraying and prostituting the very being, honour, and all the fundamentall Rights and Priviledges of this and all future Parliaments, to an Army of Rebels who refuse to obey their Masters, and disband.

This engagement so over-leavened the Army, that their brutish Generall sent forth Warrants to raise the *Trained Bands* of some Counties, to March with him against the City and both Houses: Although Trained Bands are not under pay of the Parliament; and therefore not under *Command of the Generall*, by any Order or Ordinance. But, what will not a *fool in Authority* doe, when he is possessed by Knaves? Miserable man! His foolery hath so long waited upon *Cromwells* and *Iretons* knavery, that it is not safe for him now to see his folly, and throw by his *Cap with a Bell and his Bable*. The Earl of *Essex* dyed so opportunely, that many suspected his death was artificiall.

Yet the City were so desirous of Peace, that they sent Commissioners sundry times to the Army to mediate an Accord; who could obtaine no more equall tearmes of Agreement then that, They should yeild to desert both Houses and the impeached Members: Call in their Declaration newly Printed and Published: Relinquish their Militia: Deliver up all their Forces and Line of Communication to the Army; together with the Tower of London, and all the Magazines & Armes therein: Disband all their Forces: Turn all the Reformado's out of the Line: Withdraw all their Guards from the Houses: Receive such Guards of Horse and Foot within the Line, as the Army should appoint to Guard the Houses: Demolish their Workes: And suffer the whole Army to March in Triumph through the City, as Conquerers of it and the Parliament, and (as they often give out) of the whole Kingdome: Tearmes which they might have had from the great Turk, had he late downe before them and broken ground.

All which was suddainly and dishonourably yeilded to, and executed accordingly, by such an Army as was not able to fight

D

with

35.

The City send Commissioners to the Army, *Fowkes, Gibs, and Eastwick*, by which they are betrayed.

with one half of the City, had they been united : But they are the *Devills seedes-men*, and have sown the *Cockle of Heresie and Schisme*, so abundantly in City and Country (especially amongst the more beggerly sort) that these men joyning Principles and Interests with the Army, weaken the hands of all opponents. They often brag that they made a civill March, free from Plunder : I Answer, they neither durst, nor could doe otherwise : their Souldiers being ill Armed, and so few, that they were not able to keep stands in the streets, and keep the Avenues while their fellows dispersed to Plunder. *Charles 8.* with a far greater, and more Victorious hoast, durst not offer violence to the far lesse City of *Florence* when *Signior Caponi* put an affront upon him in the Town-house ; Bidding him *beat his Drums, and they would ring their Bells.*

36.
The fugitive
Members re-
turned.

Upon the 6 of *Aug. 1647.* the Generall brought the fugitive Speakers and Members to the Houses with a strong Party, (who might have returned sooner without a Guard, had not their own crimes & designs hindred them) the two Palaces filled with armed guards, double files clean through *Westminster-Hall*, up the staires to the House of Commons, and so through the Courts of Request to the Lords House, and down staires againe into the old Palace. The Souldiers looking scornfully upon many Members that had sate in the absence of the Speaker, and threatning to cut some of their throats. And all things composed to so ridiculous a terrour, as if they would *bespeak* (without *speaking*) the absence of those Members that sate Placed the Speakers in the Chaires without Vote, out of which they had been justly Voted for deserting their calling ; where the Generall was placed in a *Chaire of State* (enough to make a fool of any man that was not fit for it) and received speciall thanks for his service from both Speakers. And in the second place, a day of *thanksgiving* was appointed to God ; (I think) for his patience in not striking these Atheisticall Saints with thunder and lightning for making him a stale to their premeditated villanies. Here *Sir Thomas Fairfax* with a breath (and before any man that was not privy to the designe could recover out of his amazement) was made *Generalissimo* of all the Forces and Forts of *England and Wales* ; to dispose of them at his pleasure : Constable of the *Tower of London*, The Common Souldi-

ers Voted one monthes gratuity, besides their pay (the Commons being in good case to *give gifts* before they *pay'd debts*;) left to the discretion of the Generall to set what Guards he pleased upon the two Houses. Whereby you may perceive in what unequall condition those Members that did not runne away with the Speaker, doe now sit; after so many reiterated threats of the Generall against them in his printed Papers.

After this, the Generall, Lieutenant Generall, and the whole Army, with the Train of Artillery, *marched through London* in so great pomp and triumph, as if they would have the people understand that the Authority of the Kingdome (in whose hands soever it remains in these doubtfull times) must submit to the power of the sword, the hilt and handle whereof they hold. They *turne out the Lieutenant of the Tower* without cause shewne. The consequences of these two actions were, that immediately the City decayed in Trade above 200000 ^l. a week; and no more Bullion came to the Mint.

37.
The Armies
March in Tri-
umph through
the City: with
other subse-
quent Acts.

They displace all other Governours, though placed by Ordinance of Parliament, and put in men of their owne party; for this incroaching faction will have all in their owne hands. They alter and divide the City of London, setting up particular Militia's at Westminster, Southwarke, and the Hamlets of the Tower, that being so divided they may be the weaker. Demolish the Lines of Communication; that the City and Parliament may lie open to Invasion when they please; and fright many more Members from the Houses with threats, and feare of false Impeachments.

The 11. Impeached Members having leave by Order of the House, and licence of the Speaker some to goe beyond Sea; and Anthony Nicholls to goe into his owne Country to settle his Affaires: some of them (as Sir William Waller and M. Den: Hollis) were attached upon the Sea; Nicholls arrested upon the way into Cornwall by the Army, and despightfully used; and when the Generall was inclined to free him, Cromwell (whose malice is known to be as unquenchable as his nose) told him he was a Traitor to the Army. You see now upon whom they meane to fixe the peoples allegiance, (for where no Allegiance is, there can be no Treason) and to what purpose they have since by their 4. Votes (first debated between the Independent Grandees of the Houses and Army) laid aside the King.

Col: Birch formerly employed for Ireland by the Parliament, was imprisoned, and his men mutinied against him by the Army: and Sir Sam: Luke resting quietly in his own house, was there seized upon and carryed Prisoner into the Army.

All these acts of terror were but so many Scar-crowes set up to fright more Presbyterians from the Houses, and make the Army masters of their Votes.

38.
Proceedings of
both Houses
under the po-
wer of the Ar-
my.

I must in the next place fall upon the proceedings in both Houses, acted under the power and influence of this all-inflaving, all-devouring Army, and their engaged party. To attaine the knowledge whereof, I have used my utmost industry and interest with many my neere friends and kinsmen sitting within those walls, heretofore (when Kings, not Brewers and Draymen, were in power) the walls of publicke liberty.

39.
Ordinance to
null and voide
all Acts passed
in absence of
the two renega-
do Speakers.

The Lords that sate in absence of the two Speakers (all but the Earle of Pembroke, whose easie disposition made him fit for all companies) found it their safest course to forbear the House, leaving it to be possessed by those few Lords that went to, and engaged with the Army: which engaged Lords sent to the Commons for their concurrence to an Ordinance, *To make all Acts, Orders and Ordinances passed from the 26 July (when the tumult was upon the Houses) to the 6. of August following (being the day of the fugitive Members returne) void and null ab initio.* This was five or six severall dayes severally and fully debated, as often put to the Question, and carryed in the Negative every time: yet the Lords still renewed the same Message to them, beating back their Votes into their throats, and would not acquiesce, but upon every denyall put them againe to roll the same Stone, contrary to the privileges of the Commons.

40.
Menaces used
by the engaged
party in the
House.

The chief Arguments used by the engaged party were all grounded upon the Common places of *fear* and *necessity*: M. Solicitor threatening if they did not concur, the Lords were resolved to vindicate the Honour of their House, and sit no more: they must have recourse to the power of the sword; the longest sword take all. That they were all engaged to live and die with the Army. They should have a sad time of it, *Hasturix* used the like language; farther saying, Some heads must fly off; and he feared the Parliament of England would not save the Kingdome of England

land, they must look another way for safety. They could not falsifie the Army but by declaring all void *ab initio*; and the Lords were so far engaged, that no middle way would serve. To this was answered, that this was an Appeal from the Parliament to the Army. And when these and many more threats of as high nature were complained of as destructive to the liberty and being of Parliaments, the Speaker would take no notice of it. Sir Henry Vane junior, Sir John Evelin junior, Prydeaux, Gourdon, Mildmay, Tho: Scott, Cornel: Holland, and many more, used the like threats.

Upon the last negative (being the fifth or sixth) the Speaker (perceiving greater enforcements must be used) pulled a Letter out of his pocket, from the Generall and Generall Council of the Army, (for that was now their style) pretending he then received it; But it was conceived he received it over night, with directions to conceal it, if the Question had passed in the Affirmative. It was accompanied with a *Remonstrance* full of villanous language and threats against those Members that sate while the two Speakers were with the Army: calling them *pretended Members*, Charging them (in generall) with *Treason, Treachery, and breach of Trust*: And protested if they shall presume to sit before they have cleared themselves; that they did not give their assents to such and such Votes, they should sit at their perill, and he would take them as Prisoners of Warre, and try them at a Councell of Warre.

41.
A threatening Remonstrance from the Army to the House.

What King of England ever offered so great a violence to the fundamentall Priviledges of Parliament, as to deny them the Liberty of Voting *I* and *No* freely? Certainly the little finger of a Jack Cade or a Wat Tyler, is far heavier then the loynes of any King.

Many Members were amazed at this Letter, and it was moved; That the Speaker should Command all the Members to meet at the House the next day, and should declare, That they should be secured from danger: And that it might be Ordered that no more but the ordinary Guardes should attend the House. But these two motions were violently opposed with vollics of threats by the aforesaid parties and others. And after more then two houres debate, the Speaker refused to put any question upon them, or any of them; and so adjourned to the next mor-

The History of Independency.

ning, leaving the *Presbyterian Members* to meet at their Perill.

The next day being Friday, the 20th Aug. there was a very thin Assembly in the House of Commons; the House having with so much violence denyed protection to their Members the day before, made most of the *Presbyterian* party absent. Some went over to the *Independent* party: others sate mute. At last a Committee was appointed presently to bring in an *Ordinance of Accommodation*; which was suddainly done and passed, and is now Printed at the latter end of the said menacing *Remonstrance* of the Army: a Childe fit to waite upon such a Mother.

42.
Debate in passing the Ordinance of null and void.

Thus was this *Ordinance of null and voyde* gotten (which hath been the cause of so much danger and trouble to Multitudes of people) by the Lords reiterated breaches upon the Priviledges of the House of Commons. The engaged parties threats within doores: The Armies thundring Letters and Remonstrance: Their Guardes upon their doores, and a Regiment or two of Horse in *Hide Parke*, ready to make impressions upon the House, in case things had not gone to their mindes: diverse of whose Commanders walking in the Hall, enquired often how things went, protesting they would pull them forth by the Eares if they did not give Speedy satisfaction.

Thus for the manner of passing that Ordinance: the matter of Argument used against it was (as far as I can hear) to the purpose following. It was alledged that the force upon Munday 26th July, ended that day, that the next day being Tuesday, the House met quietly and adjourned. That upon Friday following, the Houses sate quietly all day, and gave their Votes freely and so forward; the City having sufficiently provided for their security. That this transient force upon Munday, could have no influence on the Houses for the time to come. That the Supream power of no Nation can avoide their owne acts by pretended force. This would make the common People, the Jurors, and Judges to question all acts done in Parliament, since one man can, and may judge of force as well as another. This were to bring the Records of the House into dispute: *Magna Charta* was never gotten nor confirmed but by force; force was threefold: upon one or both Houses; or upon the King, in giving His Royall Assent; neither could

could plead it, the Parliament is presumed to consist of such men as dare lay downe their lives for their Country. When the King came with force to demand the 5 Members; when the City came downe crying for Justice against the Earl of *Strafford*; when the women came down crying for Peace; when the Reformado's came down in a much more dangerous Tumult then this of the unarmed Prentices; yet the Houses continued sitting and Acting, and none of their Acts were nullified. That to make their Acts, Orders and Ordinances voide *ab initio*, would draw many thousand men who had acted under them into danger of their lives and fortunes, who had no Authority to dispute the validity of our Votes: we must therefore give them power to dispute our acts hereafter upon matter of fact; for to tie men to unlimited and undisputable obedience to our Votes, and yet to punish them for obeying whensoever we shall please to declare our acts voide, *ab initio*, is contrary to all reason. If to act upon such Ordinances were criminall, it was more criminall in those that made them. And who shall be judges of those that made them? Not the Members that went to the Army; They are parties pre-engaged to live and die with the Army; and have approved the *Armies Declaration*, calling those that fate, *a few Lords and Gentlemen, and no Parliament*: they have joyned with a power out of the Houses to give a Law to, and put an engagement upon both Houses; a president never heard of before, of most dangerous consequence, it takes away the liberty of giving *I* and *No* freely, being the very life of Parliaments: If all done under an actuall force be voide, it is questionable whether all hath been done this 4 or 5 years be not voide; and whether His Majesties Royall Assent to some good Bills passed this Parliament, may not be said to have been extorted by force: if the Kings Party prevaile, they will declare this Parliament voide, upon the ground your selves have laid. 1 *Hen. 7.* That King urged the Parliament to make voide *ab initio*, all Acts passed *Rich. 3.* which they refused upon this ground: That then they should make all that had Acted in obedience to them lyable to punishment, only they repealed those Acts.

The debate upon this *Ordinance of null and voyde*, held from Munday 9 of Aug. to the 20 Aug. (when it was passed) but not without

43.
The Lords
Message to the
Commons to
approve the
Declaration of
the Army.

44.
The Committee
of safety.

45.
A Committee
to examine the
Tumult.

46.
A Sub-committee
of Secrecy
selected to
examine the
Tumult.

without some interloping debates of something a different nature, yet all looking the same way: occasioned by *Messages* from the Lords: Namely, once upon a Message from them, The said *Declaration* from Sir *Thomas Fairfax* and his Army, concerning their *advance to London* was read & debated in grosse, whether the *Commons* should concur with the *Lords* in approving it? But almost all but the engaged Party and their Pensioners distasted it, it was laid by without any question put, lest it should prove dangerous to put a Negative upon their Masters of the Army. Yet many menaces (according to custome) were used by the engaged party to get it passed; *Huslerig* affirming that those Gentlemen that sate and voted for a *Committee of safety*, and the Kings comming to *London*, did drive on the designe of the *City protestation* and engagement. To which was Answered, That the *Committee of safety* was not then newly erected by those which sate, but the old *Committee* revived by that Vote, which had been long since erected in a full & free Parliament, when the Army first mutinyed and threatned to March to *London*: and for the same ends; Defence of Parliament and City. And for the Kings comming to *London*, it was Voted only to get Him out of the power of the Army; as formerly in a full and free Parliament he had been voted to *Richmond* for the same reason.

Upon another Message from the Lords, the Commons concurred in an Ordinance to erect a *Committee of Examinations* to inquire into, and examine the *City Petition, engagement, and the force upon the Houses* 26 July, and all endeavours to raise any forces, &c. This Committee consisted of 22 Commons besides Lords, almost all of them Members engaged with the Army: but because there were some three or four Presbyterians gotten in amongst them, to shur these *Canaanites* forth, that the Godly, the true seed of *Israel* might shuffle the Cardes according to their owne minde; the 13 Aug. after (upon another Message from the Lords) there was a *Sub-committee of Secrecy*, named out of this grand Committee of Examinations, to examine upon Oath. The persons were; the Earl of *Denbigh* and *Mulgrave*, Lord *Gray of Wark*, Lord *Howard of Escrig*, Sir *Arthur Huslerig*, Mr. Solicitor, *Gowdon*, *Miles Corbet*, Alderman *Pennington*, *Allen*, *Edwards*, *Coli Ven*, or any three of them. All persons engaged to live and die

die with the Army, and now appointed to make a clandestine scrutiny, and search into the lives and Actions of the *Presbyterian party* that sat in Parliament doing their duty, when the engaged party fled to the Army, and brought them up in hostile manner against them.

The unreasonableness of this way of proceeding was much urged; and farther alleged that it was neither *consonant to the Customs of the House*, nor unto *common reason*, That a *Sub-committee* should be chosen out of the *Grand Committee of examinations*, with more power then the *Grand Committee* it self had, and excluding the rest of the *Committee*, under the pretence of *secrecie*. Besides, it was against the privilege of the House of Commons, that the Lords should nominate the Commons in that *Sub-committee* as well as their own Members. But the *Independent Grandees* would have it passe. Breach of Privilege, and all other considerations are easily swallowed when they are subservient to their present designs.

47.

Debate upon passing the Committee of Secret examinations.

The party engaged were resolved to be *Examiners, Informers, and witnesses*, as well as *parties*, (so active was their malice) and had so well packed the Cards, that eight or nine Schismaticall Lords engaged likewise with them, and the Army should be judges of the *Presbyterian party* that sat in absence of the two Speakers, the better to give the two Houses a through Purge, and make them of the same complexion with the Army: without which they had no hopes to divide the power and profit of the Land between themselves by 10000. l. 20000. l. in a morning shared amongst the godly; and to make the whole Kingdom to be *Gibeonites*, hewers of wood, and drawers of water to the faithfull.

48.

The manner of prosecution and proceeding upon the Tumult.

In order to the playing of this game, *Miles Corbet* (Interpreter to that *State-puppet-plot* behind the curtain, commonly called *The close Committee of examinations*) upon the 3. Septemb. stood up and began his Report from that *Inquisition*, saying, he would begin with the *Committee of safety*, wherein many Members were concerned; and it was necessary to purge the Houses first. But farther said, he would suppress the Names of many of his Witnesses, because the Depositions he should report were but *preparatory examinations*, and it would be for service of the State to conceal their names.

49.

Miles Corbet makes report of Examinations taken at the close Committee. First, against the Committee of Safety.

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He

He first produced many Warrants signed at the *Committee of Safety* by the Earles of *Pembroke, Suffolk, Middlesex, Lincoln*, Lord *Willoughby of Parham, Maynard*, Mr. *Hollis*, Sir *Phil: Stapleton*, Sir *William Waller*, Mr. *Long*, Mr. *Nicholls*, Sir *William Lewes*, Mr. *Baynton*.

Against Ma-
ster Baynton.

Next, *Corbet* reported he had a Witness who deposed that a Gentleman with a red head had signed many Warrants, supposed to be Mr. *Edward Baynton*: at length after much wyer-drawing of the businesse, one Warrant was shewn to Mr. *Baynton*, which he confessed to be his hand. And presently *Hasleriggs* moved that Mr. *Baynton* might forthwith Answer: against which was objected, That since these were but preparatory examinations, not legall proofs, no man was bound to answer them: otherwise a man shall be put to as many severall answers as severall new matters of Charge come in against him, and shall day by day be liable to new vexations, and never know when he hath cleared himself. But *Corbet* (who of an Examiner was now become the *Kings* Solicitor, or Advocate Criminall) moved to proceed to judgment against him: but first to ask him some preparatory questions. But it was answered, that it was illegall to squeeze examinations out of a mans own mouth; neither was a man bound to answer, where his words may condemn, but not absolve him: for so much as depends upon the testimony of Witnesses against this Gentleman, you cannot proceed unlesse he be by, and have liberty to put crosse questions to the Witnesses. It is alleaged, Warrants were signed, and all done in relation to a new war. It is answered, it was done in order to self-defence (allowable by the Lawes.) Long before this occasion, when the Army first mutinied and threatned to march up to *London*, and use such extraordinary means against the *Parliament and City* as God had put into their hands, you then in a full and free Parliament appointed a Committee of safety for your defence, who sate and acted. This Committee was but the same revived, and upon the like or worse threats and menaces, as by the many printed Papers from the Army will appear; you have no Testimony against this Gentleman by name, but only a Character of his haire: and for signing the Warrant confessed by himself he is acquitted by the *Proviso* of the Ordinance, 20. *August* last, which excepteth only such as acted upon

The History of Independency.

27

upon the force, But when the *Committee of safety* was revived, the Parliament was freer from force then it is now. Mr. *Baynton* notwithstanding was adjudged to be suspended the House during pleasure of the House, which is as much as to say, So long as the Tyranny of this domineering Faction lasteth.

The 4. of *Sept.* *Corbet* reported he had a Witness (but named him not, because they were but preparatory examinations) who deposed that an elderly Gentleman of low stature, in a gray suit, with a little Stick in his hand, came forth of the House into the Lobby when the Tumult was at the Parliament dore, and whispered some of the Apprentices in the eare, and encouraged them, (supposed to be Mr. *Walker*.) Mr. *Walker* denied he spake then with any man in the *Lobby*, or saw any face that he knew there; and so neglected the business as a thing not considerable. But the next day *Corbet* moved that Mr. *Walker* might be ordered to put on his gray Suite againe and appeare before the Close Committee, and the Witness, who saith he knoweth him againe if he see him. I heare Mr. *Walker* desired to know (seeing the Witness had not named him) by what authority the Examiners should take such a Deposition, and make application thereof to him: and seeing there were many Gentlemen in the House that day with whom that Character agreed as well as with himself, why the Reporter did not move that all to whom that Character was applyable might be put to that test as well as himselfe, but singled him out for a marke to shoot at: complaining he was not ignorant out of what Quiver this Arrow came: he had beene threatned with a Revenge by some of that Close Committee, and had other enemies amongst them, that could bite without barking. He told them that yesterday Mr. *Corbet* Reported that the supposed old man whispered, &c. but desired those that were then in the House to call to mind that the noise was then so great in the *Lobby* that no whisper, nay the lowdest words he was able to speak could not be heard. Then *Corbet* changed his Tale, saying, the words were, What you doe, doe quickly: and were spoken aloud: and said, the Character agreed best with Mr. *Walker*, for that the Deponent said, the Gentleman was a Leane meager man.

Against Ma:
ster Walker.

Here Mr. *Walker* desired the House to take notice that the

E 2

Reporter

The History of Independency.

Reporter had twice varied his Report. 1. In the words spoken, from a *whisper* to *lowd speaking*. 2. In the Character enlarged with the words *leane* and *meager*. Here is Hayle-shot provided, if one misse, the other must hit; Yet with this addition, there were divers in the House with whom the Character agreed as well as with himself. And by the incivility of his words, it should seem the Witnesse is a man of no breeding: wherefore he desired to hear his Name, that he might enquire of his credit and repute. If the Reporter thinks he may be practised, he doth not think him a man of honesty: and then he had more cause to suspect him. He farther complained, that to make Hue and Cry after him (as it were upon fresh suite) upon a character of his person and cloths five or six weeks after the supposed fact, (he never having absented himselfe one day from the House) favoured too much of a party overswayed with malice and Revenge.

Your *close Committee of examinations* carry on businesses so in the darke (being parties engaged with the Army, and not sworne to be true in their office) that no man can see how to defend himself, or how he is dealt with, or when he is free from trouble and danger: It seems we are here called *ex tempore* to answer for our lives, *ore tenus*; And our *Accusation* beginneth with the *examination* of our persons: to make us state a *Charge* against our selves, to *betray* our selves, and *cut* our own throats with our tongues, contrary to *Magna Charta*, the *Petition of Right*, and all those laws of God and man, which in the KING's time, were in use. And no Witnesses are produced, nor so much as named: methinks therefore we are compelled to play at *blind man-bough* for our lives, not seeing who strikes us. You have the most summary way of hanging one another that ever I saw; It is a kind of Star-Chamber proceeding in matter of life and death; your *secret examinations* favour so much of the *Spanish Inquisition*, and of the *Council of troubles* erected by the Duked' Alva in the *Low-countries* (called *Concilium Sanguinis*) that they can never agree with the *laws and nature* of our *Nation*: If our Kings shall imitate you hereafter, they will be the greatest Tyrants in the world. Formalities and priviledges of Court, derogating from the common rules of Law, and practice of the land, are but curtains drawn before oppression and tyranny to dazle mens eyes. Give me leave

to.

to tell you that I have served you faithfully from the beginning, and have taken as much paines, and run as many hazards as most men in your service, wherein I have lost my health and above 7000l. of my Estate, without one penny compensation, as other men have had, nor have I laid my hands upon any mans money or goods, or had any gainfull imployment from you: I contented my self to serve my Country *gratis*: and with some little Honour I had gotten thereby; whereby, you have now Robbed me, by a Roaving accusation shot at Random at me. Had I cheated the State of 40000l. or 50000l. peradventure I might have beene thought a godly, confiding man, of right principles, and have had 10000l. given me for my paines. *Sir*, you have heard the voice of a Free-man (not of a Slave) that dares keep his first principles, Religion, Lawes, and just Liberties whosoever layes them aside; and protest against Tyraany and Oppression, where-soever he finds it, whether in the Government of *one* or *many*. You may murder me by the Sword of Justice, but you cannot hurt me: but deliver me from the evils to come. Nor shall I be unwilling to suffer a Goale-delivery of my soul from the prison of my body when I am called to it.

When Mr. *Walker* had done his defence, the debate followed, much to this purpose, *That to order him to appear in his Gray suite before the close Committee and Witnesse was illegall, and against the Lawes and Liberties of the Subject.*

1. *It is to help another to accuse himself; which is all one as if he did accuse himself.*

2. *To bid a Witnesse look upon a man (after he is engaged to name some body) is to prompt him to go no farther then the party shewed.*

3. *A Witnesse ought not to be twice examined against a man. That is, to draw him on by degrees to swear home, and to mend in his second Deposition what fell short in his first.*

4. *If the Witnesse first depose to the matter, not naming the party, and five or six weeks after declare the Person, without oath, this is no Deposition, and if the Oath be renewed the Witnes is twice examined.* So the businesse was laid by, and *Corbet* allowed to shew Mr. *Walker* casually as he could meet with him to his witnesse, which was (in a manner) to draw dry foot after him with his blood-hound.

The History of Independency.

I was the more curious in gathering the circumstances of this business out of the reports of many severall men, in regard of the rareness of the case, and the exquisiteness of the malice with which it was prosecuted. And it seemed to me the more admirable, because I heare generally that Mr. Walker hath alwaies been opposite to all parties and factions, both *Presbyterian* and *Independent*, upon whom he looks as the common disturbers both of Church and Common-wealth, and enemies of peace. Nor could he ever be perswaded to be at any of their *Junto's* or secret meetings; and therefore it is not probable he should suddenly and in the open view of the House go forth and engage with a company of silly unarmed Apprentice Boyes. But I heare they cannot endure his severity, nor he their knavery. What will not the malice of a desperate *Anabaptist* faction attempt? they have long sported in the bloud and treasure of the land, as the *Leviathan* doth in the waters: and do now keep up a numerous Army to carry on those designs by force, which they can no longer make good by fraud. All England is become as *Munster* was, and our Grandees suitable to *John of Leyden*, and *Knipperdolling*.

Against Master Recorder Glyn.

The next report Corbet made concerning Mr. Recorder Glyn. The chief things objected were, That he had frequented the Common Councell, the Committees of the Militia, and safety, more then he was wont to doe: That he was silent and made no opposition: And that he gave thanks to the Apprentices when they delivered their Petition to the City, offering their help for defence thereof against Whomsoever.

The Recorder answered, the Charge was long, and his memory short: He desired time to examine his memory, concerning the circumstances of time, place, persons, and other matters; and that he might examine Witneses for clearing his innocency. But his Prosecutors (hoping to do more good upon him by way of surprise, then in a deliberate and legall way of proceeding) put him upon it to answer *ex tempore*. He confessed and avoided some things, but denied the most materiall. He denied he was more frequent at their meetings then ordinary. For his silence, he alleged he was but the Cities servant and had no voice amongst them, but when his opinion was demanded: That he gave thanks to the Apprentices as a servant by command, yet had mixed some admonitions

monitions and Reprehensions in speech to them.

So the Recorder withdrew. And presently *Haſlerig* (according to his cuſtome) moved judgement might be given againſt him. To which was answered, that the Recorder denied the principall parts of his Charge; and offered proofes by witneſſes: you muſt give him that leave, or take all parts of his ſpeech for granted; as well what makes for him, as againſt him. Two or three dayes more will make this buſineſſe ripe for judgement: let him have one judgement for all. If you judge him now to be expelled the Houſe, he is already forejudged, & that will be a leading caſe to a farther judgement: For who dares acquit where you have condemned? A man ought to be but once judged upon one accuſation. The diſhonour of expulſion is a puniſhment exceeding death. If you judge now upon one part of the Accuſation, and hereafter upon another part of the Accuſation, he will be twice condemned upon one Accuſation. And ſhall never know when he hath ſatiſfied the Law; an endleſſe vexation.

Yet *Haſlerig* moved he might receive judgement now, for what was already proved or confeſſed, to be expelled the Houſe; (ſaying, the Lords went on without obſtruction in their buſineſſes, becauſe they had purged their Houſe) and that he might be farther impeached hereafter upon farther hearing. So he was adjudged to be diſcharged the Houſe, committed to the Tower, and further impeached hereafter.

Sir *John Maynard* the ſame day was called to Answer. He de- Againſt Sir
John Maynard.
fired a Copy of his Charge, with leave to Answer in writing by advice of Councell, as the 11 Members formerly did: To examine witneſſes on his part, and croſſe examine their witneſſes.

But theſe requeſts were denied, and he Commanded to answer *ex tempore*. He gave no particular Answer, but denied all in general: as Col: *Pride* (whom he cited for his Preſident) had formerly done at their Barre. He was adjudged to be diſcharged the Houſe, committed to the Tower, and farther impeached. The like for Commiſſary Generall *Copley* whoſe caſe differed little.

The 8 of Sept. the Earl of *Suffolke*, *Lincolne*, *Middleſex*, the Againſt the 7
Lords.
Lords *Barkley*, *Willoughby*, *Hunſdon*, and *Maynard* were impeached of High Treason, in the name of the Commons of England,
for

for levying war against the King, Parliament, and Kingdom. The Earle of Pembroke (then sent to Hampton-Court with the Propositions on purpose to avoid the storm) was omitted untill Wednesday following, and so had the favour to be thought not worth remembring. Sir John Evelyn the younger sent up to the Lords with the *Impeachment*, and a desire they might be committed. They were committed to the *Black Rodde*. And so the engaged Lords had their House to themselves according to their desires.

50.
Schismaticall
Petitions.

The 14. Sept. a Petition from divers *Schismaicks* in *Essex* came to the Houses, bearing this Title, *To the Lords and Commons in Parliament assembled, distinct from those Lords and Commons that sate in absence of the two Speakers.*

16. Sept. a Petition from divers *Sectaries* of *Oxfordsh: Bucks: Berkejs:* was delivered the House against diverse *Members* sitting in the House, *enemies to God and Goodnesse, enemies to the Kingdome, &c. Usurpers of Parliamentary Authority, who endeavoured to bring in the King upon His owne Terms.* They desired a free Parliament, and that (according to the desires of the Army) those that sate when the Parliament was suspended in absence of the two Speakers, might be removed: there was a clause against *Tythes, &c.* in it. Such another Petition came but the day before from *Southwarke.*

The ayne of
these Petitions.

These Petitions were all penned by the engaged party of the Houses and Army, and sent abroad by Agitators to get subscriptions. The designe was to put the two parties in the House into heights one against another, to make the lesser party in the House (*viz.* the engaged party but 59) to expell the greater party being above 140. whereby the House might be low and base in the opinion of the people, and no Parliament, and so leave all to the power of the Sword. The Army daily recruiting, and thereby giving hopes to all loose people, that the Army should be their common Receptacle, as the Sea is the common Receptacle of all waters; because those who had no hope to be Members of Parliament might become Members of this Army. Besides their plausible way of prompting the people to petition against *Tythes, Enclosures, and Copy hold fines uncertain*, was to encourage them to side with the Army against all the *Nobility, Gentry, and Clergy of the land*, (from whom the Army did most fear an opposition) and

and to destroy *Monarchy* it self: since it is impossible for any Prince, to be a King only of Beggars, Tinkers, and Coblers.

But these interloping discourses omitted, let us again return to these prodigious *Impeachments*. The next in order comes in the *Lord Mayor, Aldermen, and Citizens*, with whom short work was made. Impeachments were sent up to the *Lords* against them, and they sent to the *Tower*, upon a bare report of the Inquisitor Generall *Corbet*, and the reading of some depositions, the *Witnesses* names for the most part concealed, and none of them so much as called to the *Commons Bar* to see what they could say for themselves: Contrary to *Magna Charta*, 29. chap. and contrary to 28 *Edw. 3.* enacting, that no man shall be put out of his Land, &c. nor taken, nor Imprisoned, &c. nor put to death, &c. without being brought to answer by due processe of Law. That is according to the Stat. 42 *Edw. 3.* ch. 3. That no man be brought to answer without presentment before Justices, or matter of Record, or by due process, or writ originall, according to the old Law of the Land: not according to new invented Articles of impeachment, but according to those Laws that were well known, and old in *Edw. 3.* time: see Stat. 37 *Edw. 3.* 1 *Edw. 6.* ch. 12. 6 *Edw. 6.* ch. 11. and the Stat. 25 *Ed. 3.* saith, no man shall be taken by Petition or suggestion made to the King, or his Councell, &c. and the House of Peers is no more but the Kings Councell, as anon I shall make evident.

It was moved by divers that these Gent: might be Tried according to Law at the *Kings Bench* by a Jury of twelve men *de vicineto*, their Peers and equals to judge of matter of fact: alleaging that the Common Law was the Birthright of all the free people of *England*: which was one of the three Principles for which the *Parl:* so often declared in print that they fought, and for defence whereof they had entred into a *Covenant*, with their hands lifted up to God: the other two principles were Religion and Liberties.

1. The *Lords* were not Peers to the *Commoners*: At the Common Law they shall have sworn Judges for matter of Law, of whom they may ake questions in doubtful points, nor can they be Judges in their own cases.

2. They have sworn Jurors of the neighbourhood for matters of fact, whom they may challenge.

3. The known Laws and Statutes for rules to judge by, which in

Against the
Lord Mayor,
Aldermen and
Citizens.

51.
Arguments
against im-
peachments be-
fore the Lords.

The History of Independency.

case of Treason is the Stat. 25 Edw. 3. you cannot Vote nor declare a new Treason: And if you could, to do it *ex post facto*, is contrary to all rules of justice: The Apostle saith, Sin is a breach of a Commandment (or Law:) I had not known sin but by the Law: the Law therefore must go before the Sin.

4. At the Common Law, They have Witnesses openly and newly examined upon oath before the Accused's face, who may except against them, and cross examine them.

5. Even in Star Chamber and Chancery (where only hearings are upon Testimonies) the Examiners are sworn Officers.

6. A man hath but one Tryall and Judgment, upon one accusation: so that he knows when he hath satisfied the Law.

In this way of proceeding, all these necessary legalities are laid by: and these Gentlemen have not so much fair play for their Lives and Estates as *Naboth* had for his Vineyard: he had all the formalities of the law: yea, he had law it self: yet he had not justice: because they were the sons of *Belial* that were set before him: what shall we conceive these Witnesses are that do not appear? nay, whose very names are concealed? yet *Naboth* was murdered by the sword of Justice: for the honour of Parliaments give not the people cause to suspect, these Gentlemen shall be so too: *non recurrendum ad extraordinaria, quando fieri potest per ordinaria.*

But all this was but to charme a deafe Adder: the nine or ten engaged Lords that then possessed the House, were thought to be fitter then a Jury of *Middlesex* to make work for the hang-man, and yet they have no Judicature over the Commons: as appears by the the president of Sir *Simon de Berisford*, *William Taylboyr*, and the City of *Cambridge*. Note that one president against the Jurisdiction of a Court is more valued then a hundred for it: because the Court cannot be supposed ignorant of the Law, and its own rights; but a particular man or client may: see Sir *John Maynard's* Royall quarrell, and his Laws subversion: *Lient. Col. Lilburne's* Whip for the present House of Lords: and Judge *Jenkins* Remonstrance to the Lords and Commons of the two Houses of Parliament, dated 21. Febr. 1647. As for the cases of *Weston*, *Gomenes* and *Hall*, (cited by Mr. *Pryn*) they were for facts done beyond Sea, and before the Stat. 1 Hen. 4. ch. 14. whereof the Common Law

32.
Arguments
proving the
Lords to have
no power of
Judicature over
the Commons.

Law could then have no consufance: & therefore an extraordinary way of proceeding before the Lords was requisite, and by the Kings speciall Authority it was done, without which, (I dare boldly affirme) the Lords have no Judicature at all: which thus I make appear.

1. The King by delivering the Great Seale to the *Lord Keeper*, makes him *Keeper of his Conscience* for matter of equity. By his *Brevia patentia* to the *Judges of the two Benches*, and the *Exchequer*, the King makes them *administrators*, and *Interpreters of his Lawes*: But he never trusts any but himself with the power of pardoning and dispensing with the rigour of the Law in Criminal cases: And though the Lord Keeper is Speaker of the Lords House of Court, yet he is no Member of the Lords House *virtute officii*: The Judges are not Members, but Assitants only: So that no man in the House of Peers, as he is simply a Peere, is trusted by the King either with dispensation of law, or equity.

53.
The House of Peers no Court of Judicature at all properly, and per se.

2. When a Peer of Parliament, or any man else is tried before the Lords in Parliament criminally, he cannot be tried by his Peers only, because in acts of Judicature, there must be a Judge superior, who must have his inferiors ministeriall to him: Therefore in the Triall of the Earle of *Strafford* (as in all other Trialls upon life and death, in the Lords House) the King grants his Commission to a *Lord High Steward* to sit as Judge, and the rest of the Lords are but in the nature of Jurors. So that it is the *Kings Commission* that authoriseth and distinguisheth them.

3. When a *Writ of Error* issueth out of the Chauncery to the House of Peers, they derive their Authority mecerly from that Writ.

For the three Reasons aforesaid, The *House of Peers* is no Court of Judicature at all without the *Kings speciall Authority* granted to them either by his *Writ*, or his *Commission*. And the Lords by their *four Votes* having denied all farther addresse or application to the King, have cut off from themselves that fountaine from which they derive all their power: And all Trialls by Commission must be upon Bills, or Acts of Attainder, not by *Articles of Impeachment*; a way never heard of before this Parliament, and invented to carry on the designs of a restless impetuous Faction: Had the Faction had but so much wit as to try those Gentlemen

by Commission of *Oyer and Terminer*, before Sergeant *Wilde*, he would have borrowed a point of law to hang a hundred of them for his own preferment.

Observe that almost all the cases cited by Mr. *Pryn* concerning the Peers Trials of Commissioners were authorized by the King, upon the speciall instance of the House of Commons; As for the House of Commons they never pretended to any power of Judicature, and have not so much authority as to administer an oath, which every Court of *Pye* pouldres hath.

54.
Blank impeachments dormant.

But this way of trial before the pre-engaged Lords, and upon *Articles of Impeachment* (which they keep by them of all sorts and sizes fit for every man, as in *Birchin-lane* they have suites ready made to fit every body) was the apter meanes to bring those men to death whom they feared living: had not a doubt of the Scots comming in taught them more moderation, then their nature is usually acquainted with; and to fright away, or (at least) put to silence the rest of the *Members* with fear of having their names put into *blank Impeachments*. And that it might be so apprehended; *Miles Corbet* moved openly in the House of Commons that they should proceed with the Impeachments which were ready, nothing wanted but to fill up the Blanks, they might put in what names they pleased. This *Inquisitor general*, this prologue to the Hang-man, that looks more like a hang-man then the Hang-man himself, hath since gotten the rich office of *Register of the Chancery*, as a reward for his double diligence: Oh, Sergeant *Wilde* and Mr. *Steele* despair not of a reward.

55.
Establishment for the Army.

Friday, 17. Sept. the advice of Sir *Tho: Fairfax* and his Council of War was read in the House of Commons, *what standing Forces* they thought fit to be kept up in *England and Wales*, and *what Garrisons*. Also *what Forces* to send for *Ireland*; namely, for *Ireland*, 6000 Foot, and 2400 Horse, out of the supernumerary loose forces, being no part of the Army; And for *England*, upon established pay, 18000 Foot at 8d. *per diem*. 7200 Horse at 2s. *per diem* each Troupier; 1000 Dragoones, and 200 Firelocks. Trainee of Artillery, Armes and Ammunition, to be supplied. The Foot to be kept in Garrisons, yet so that 6000 may be readily drawn into the field.

The Independent party argued, That the Army were unwilling to

to goe for *Ireland*, pretending their engagement to the contrary ; if you divide or disband any part of your Army, they will suspect you have taken up your old resolutions against them, to disband the whole Army : It is now no time to discontent them, when the Kings Answer to your Propositions tends to divide you and your Army, and the people are generally disaffected to you.

The Presbyterian party argued, That the engagement of the Army ought to be no rule to the Councils of the Parliament ; otherwise new Engagements every day may prescribe the Parliament new Rules : we must look two ways. 1. Upon the people unable to beare the burden. 2. Upon the Army. Let us keep some power in our owne Hands, and not descend so far below the dignity of a Parliament, as to put all into the hands of the Generall and his Councell of War. You have almost given away all already. The Army adviseth you to keep up more Garrisons, then upon mature deliberation this House formerly Voted : you have already many Garrisons manned with gallant and faithfull men, to whom you owe Arrears ; to remove them, and place new Souldiers in their roomes, will neither please them, nor the places where they are quartered : who being acquainted with their old guests, will not willingly receive new in their roomes. These men have done you as good and faithfull service as any in the Army ; and were ready to obey you, and goe for *Ireland*, had they not been hindred by those who under pretence of an engagement to the contrary (which they mutinously entred into) will neither obey you, nor goe for *Ireland*, nor suffer others to goe. Though you discharge these men without paying their Arrears, (which others of other principles will not endure) yet give them good words : If you will be served by none, but such as are of your new principles ; yet consider your Army are not all alike principled, and peradventure the old principles may be as good as the new for publick, though not so fit for private designs and purposes. You have passed an Ordinance, *That none that have borne Armes against the Parliament shall be employed* : if you disband all such, your Army will be very thin ; many have entred into pay there in order to doe the King service, and bring the Parliament low. There is no reason you should keep up 1400 Horse more

then you last voted to keep up, being but 5800 at which time 60000^l. a Month was thought an establishment sufficient both for *England* and *Ireland*. But now the whole charge of *England* and *Ireland* will amount to 114000^l. a month : which must be raised upon the people, either directly and openly by way of *seffement* ; or indirectly and closely, partly by *seffements*, and partly by free-quarter, and other devices : nor will the pay of 2s. *per diem* to each Troupier, and 8^d. to each Foot Souldier enable them to pay their quarters. If you mean to govern by the Sword, your Army is too little : if by the Laws and Justice of the Land, and love of the people, your Army is too great : you can never pay them : which will occasion mutinies in the Army, and ruine to the country. Thus disputed the *Presbyterians*, but to no purpose, it was carried against them.

Observe that when the War was at the highest, the *monthly tax* came but to 54000^l. yet had we then the Earle of *Essex's* Army, Sir *William Waller's*, my Lord of *Denbigh's*, Maj. Gen: *Poynt's*, Maj. Gen: *Masseys*, Maj. Gen: *Laughorne's*, Sir *William Bruerton's*, Sir *Tho: Middletons* Brigades, and other Forces in the field, besides Garrisons.

56. But now this Army hath 60000^l. a month, and 20000^l. a Month more pretended for *Ireland* ; which running all through the fingers of the *Committee of the Army*.

57. That Kingdom (which is purposely kept in a starving condition to break the Lord *Inchequins* Army, that *Ireland* may be a receptacle for the *Saints* against *England* spewes them forth) hath nothing but the envy of it, the sole benefit going to this Army : This 20000^l. a month being a secret unknowne to the common Souldiers ; The *Grandeens of the Army* put it in their own purses.

Moreover, this Army hath still a kind of free-quarter, (under colour of lodging, fire and candle) for who sees not that these masterlesse guests upon that interest continued in our houses, doe and will become Masters of all the rest ? and who dares ask mony for quarter of them, or accept it when it is colourably offered, without feare of farther harme ? besides, the Army (whose requests are now become commands) demanded that they might have the levying of this Tax : and that their accounts might be audited at the Head quarters : And though the Officers of this Army

Ireland why
kept in a star-
ving condi-
tion.

Army (to catch the peoples affections) encouraged them often to petition the Houses against Free-quarter, pretending they would forbear it, after an establishment settled upon them; the use their party in the House made of these Petitions was to move for an Addition of 20000l. or 30000l. a month) and then they should pay their quarters, lodging, fire, and candle, nay stable-roome too excepted.

Here it is not amisse to insert a word or two of this villainous oppression, *Free-quarter*; whereby we are reduced to the condition of conquered Slaves, no man being master of his owne Family, but living like *Bond-slaves* in their own houses, under these *Egyptian Task-masters*, who are Spyes and Intelligencers upon our words and deeds, so that every mans table is become a snare to him. In the third year of King CHARLES, The Lords and Commons in their *Petition of Right* (when not above 2000 or 3000 Souldiers were thinly quartered upon the people but for a month or two) complain'd thereof to His Majesty as a great Grievance contrary to the Laws and Customes of the Realme, and humbly prayed as their Right and Liberty, according to the Laws and Statutes of this Kingdom that he would remove them, and that his people might not be so burdened in time to come; which His Majesty graciously granted. Yet now we are ten thousand times more oppressed with them, and if these quarterers offer violence or villainous usage to any man in his house or family, or commit murder or felony, they are protected against the laws and justice of the land, and *Triable only by a Councell of War* at the Head quarters, where a man can neither obtain justice, nor seek it with safety. So that we live under the burden of a perpetuall Army of 30000 or 40000 men, exempt from all but *martiall law*; which frequently oppresseth, seldome righteth any man: witnesse *Oliver Cromwell's* taking of *Thomson* (being no Souldier) from the House of Commons dore with Souldiers, imprisoning and condemning him at a Councell of War, where he sat Judge in his owne cause, there being a quarrell between them: Yet it was held Treason in the Earle of *Strafford* to condemn the Lord of *Valencia* so, being a member of his Army because it was in time of peace, as this was. Many other examples we have of the like nature, and of this Army, enough to perswade us that these vin-

58.

Free-quarter:

59.

Martiall Law:

dicative

The History of Independency.

decaive Saints will not governe by the known *Laws of the Land*, (for which they have made us spend our money and bloud) but by *Martiall Law* and *Committee Law*, grounded upon Arbitrary Ordinances of Parliament, which themselves in the first part of *exact Collections*, pag. 727. confesse, are not Lawes without the Royall assent.

60.
Cheats put up-
on the State.

This Army hath been daily recruited without any Authority, farre beyond the said number or pay established; the supernumeraries living upon free quarter. And when complaints have been made thereof in the House, the Army being quartered in severall Brigades, *supernumeraries* have been *disbanded in one Brigade*, and their *Armes taken by their Officers*: and shortly after they have been *listed againe in another Brigade*, and their *Armes sold againe to the State*, after a while to new Arme them. And of this sort were those Armes which being found in a Magazine in Town by some zelots, and rumoured to belong to the City for the Arming of Reformado's, were upon examination found to belong to *Oliver Cromwell*: so the business was buried in silence: for though the Kings over-sights must be *tragically* published to the world, yet the hainous crimes of *the godly* must lie hid under the *maske of Religion*.

61.
Arreares secu-
red, although
the State owes
them nothing.

And though they have usually taken *free-quarter* in one place, and taken *composition money* for free-quarter in another place, some of them in two or three places at once 3s. a day, some of them 5s. for a Trooper, and 11. a day, and 12. 6d. for a foot Souldier, whereby no Arreares are due to them, but they owe money to the State; yet they have compelled the Houses to settle upon them for *pretended Arreares*, 1. The moiety of the Excise (that they may have the Souldiers help in leavying it. Although to flatter the People, the Army had formerly declared against the excise.) 2. The moiety of *Goldsmiths-Hall*. 3. Remainder of *Bishops Lands*. 4. The customes of some Garrisons. 5. Forreist Lands.

This Army brags they are *the Saviours* (nay Conquerors) of the Kingdome. Let them say when they saved it, whether at the fight at *Nazby*, or taking in of *Oxford*: and we will pay them according to the then Lilt. And for all the Recruits taken in since the reducing of *Oxford*, it is fit they be disbanded without pay,

pay, having been taken in without, nay against Authority, to drive on wicked designs, and enthrall King, Parliament, City, and Kingdome.

24. Decemb. 1647. The two Houses by their Commissioners presented to the King at *Carisbrook-Castle* four Bills to be passed as Acts of Parliament, and divers Propositions to be assented to. They are all printed, so is His Majesties Answer to them, wherefore I shall need to say the lesse of them, only a word or two, to two of the Bills:

62.

Four dethroning Bills presented to the King at: *Carisbrook-Castle*.

1. The Act for raising, settling, and maintaining Forces by Sea and Land, within the Kingdoms of England and Ireland, Wales, &c. (though it seems to be but for 20 years) devests the King, his Heirs, and Successours of the power of the Militia for ever, without hope of recovery but by repealing the said Act, which will never be in his nor their power: for, first, it saith, *That neither the King, nor his Heires or Successours, nor any other shall exercise any power over the Militia by Land or Sea, but such as shall act by authority and approbation of the said Lords and Commons.* That is, a Committee of State of twenty or thirty Grantees, to whom the two Houses shall transfer this trust, being over-awed by the Army, (for the ground-work of this Committee was layed by these words, though the Committee be erected since.) And secondly, it prohibiteth the King, his Heires and Successours, &c. after the expiration of the said 20 years to exercise any of the said powers without the consent of the said Lords and Commons, and in all cases wherein the said Lords and Commons shall declare the safety of the Kingdome to be concerned after the said 20 years expired, and shall passe any Bills for raising, arming, &c. forces by Land or sea, or concerning levying of money, &c. if the Royall assent to such Bills shall not be given by such a time, &c. then such Bills so passed by the Lords and Commons shall have the force of Acts of Parliament without the Royall assent. Lo, here a foundation laid to make an Ordinance of both Houses equall to an Act of Parliament, if this be granted in one case, it will be taken in another, and then these Subverters of our Religion, Laws and Liberties will turne their usurpation into a legal Tyranny.

63.

An Act for the Militia.

2. It gives an unlimited power to the two Houses to raise what forces, and what numbers for land and sea, and of what persons

G

(without

The History of Independency.

(without exceptions) they please, and to imploy them as they shall judge fit.

3. To raise what many they please for maintaining them, and in what sort they think fit out of any mans estate.

64.
Bill for adjournment of the Parliament as well for place, as time.

The *Bill for adjournment of both Houses* to any other place, &c. will enable the engaged Party of the two Houses and Army to adjourne the two Houses *from time to time*, to or near the Head quarters of the Army: where those Members that refuse to enter into the same Engagement, shall neither sit with accommodation nor safety, and so be shaken off at last: this is a new way of *purging the Houses*. Besides, the Parliament following the motions of the Army, the King shall follow the Parliament, whereby the Army having both *King and Parliament* present with them, whatsoever attempt shall be made against the Army shall be said to be against the safety and authority of the *King and Parliament*, and a legall Treason, triable by Indictment, not a constructive Treason only Triable before the Lords.

65.
The King's Answer debated.

Monday 3. Jan. the *Kings Answer* to the said Bills and Propositions was debated in the *House of Commons*. And first, Sir *Thomas Wrotte* (*Jacke Pudding* to *Prideaux* the Post-master) had his cue to go high, and feel the pulse of the House; who spake to this purpose, That *Bedlem* was appointed for *mad men*, and *Tophet* for *Kings*: That our *Kings* of late had carried themselves as if they were fit for no place but *Bedlem*: That his humble motion should consist of three parts:

1. To secure the *King*, and keep Him close in some inland Castle with sure Guards.

2. To draw up Articles of Impeachment against Him.

3. To lay Him by, and settle the *Kingdome* without Him. He cared not *what form of Government* they set up, so it were not by *Kings and Devils*.

Ireton's Speech.

Then Commissary *Ireton* (seeming to speak the sense of the Army under the notion of many thousand godly men who had ventured their lives to subdue their enemies) said after this manner, The *King* had denied safety and protection to his people by denying their *four Bills*: That *subjection to him* was but in lieu of *his protection to his people*; This being denied they might well deny any more subjection to him, and settle the *Kingdom* without him:

That

That it was now expected after so long patience they should shew their resolution, and not desert those valiant men who had engaged for them beyond all possibility of retreat, and would never forsake the Parliament, unless the Parliament forsooke them first.

After some more debate when the House was ready for the question, *Cromwell* brought up the Reare : And giving an ample character of the valour, good affections, and godlinesse of the Army, argued : That it was now expected the Parliament should govern and defend the *Kingdome* by their own power and resolutions, and not teach the people any longer to expect safety and government from an *obstinate man* whose heart God had hardened. That those men who had defended the Parliament from so many dangers with the expence of their blood, would defend them herein with fidelity and courage against all opposition. Teach them not by neglecting your owne and the *Kingdoms* safety (in which their owne is involved) to think themselves betrayed : and left hereafter to the rage and malice of an irreconcilable enemy whom they have subdued for your sake : and therefore are likely to find his future government of them insupportable, and fuller of revenge then justice : lest despair teach them to seek their safety by some other means then adhering to you, who will not stick to your selves. And how destructive such a resolution in them will be to you all, I tremble to think and leave you to judge.

Cromwell's Speech.

Observe, he laid his hand upon his Sword at the latter end of his Speech ; that Sword which being by his side could not keep him from trembling when Sir *Philip Stapleton* baffled him in the House of Commons.

This concluding Speech having something of menace in it was thought very prevalent with the House. The first of the foure Questions being put, *That the two Houses should make no more addresses nor applications to the King :* The House of Commons was divided, 141. yeas, 91. noes, so it was carried in the affirmative. The other three Votes followed these votes with facility : see them in print.

66.

The four Bills for no addresses nor applications passed.

67.

The Members had been locked into the House of Commons from before nine of the clock in the morning to seven at night, and then the dores were unlocked, and what Members would, suffered

The Committee of S. fety revived and enlarged.

ferred to go forth, whereby many *Presbyterians* thinking the House had been upon rising departed; when presently (the House being grown thin) the Vote to revive the Committee of both Kingdoms called the *Committee of Safety at Darby House*, passed by Ordinance dated 3. *Janu.* 1647. in these words: *Resolved, &c.* That the powers formerly granted by both Houses to the Committee of both Kingdoms, (viz. England and Scotland) in relation to the two Kingdoms of England and Ireland, be now granted and vested in the Members of both Houses only that are of that Committee, with power to them alone, to put the same in execution. The originall Ordinance that first erected this Committee, and to which this said Ordinance relates, beareth date 7. *Feb.* 1643. in which the English Committees were appointed from time to time, to propound to the *Scottish Commissioners* whatsoever they should receive in charge from both Houses, and to make report to both Houses, to direct the managing of the War, and to keep good correspondency with forain States, and to receive directions from time to time from both Houses; and to continue for three moneths and no longer. But this Ordinance 3. *Janu.* 1647. vests the said powers in the Members thereof only, and alone: words excluding the two Houses: and for a time indefinite. There were then added to this Committee, *Nathaniel Fiennes*, in place of Sir *Phil. Stapleton*; Sir *John Evelin Junior*, in place of Mr. Recorder; and the Earl of *Kent*, in stead of the Earl of *Essex*. 22. *Janu.* following, the Lords sent down a Message for a farther power to this Committee; which was granted in these words: *Power to suppress Tumults and Insurrections in England, &c. and at Barwick, and for that purpose the Committee to have power to give orders and directions to all the Militia and forces of the Kingdom.* The addition of four Lords and eight Commoners likewise to this Committee was desired, but denied.

The Members of this Committee are now:

The Earl of Northumberland. Ro. Earl of Warwick. The E. of Kent. Edw. Earl of Manchester. Will. Lord Say & Seal. Phil. L. Wharton. John Lord Roberts. Will. Pierre-

point. Sir Henry Vane sen. Sir Gilbert Gerrarde. Sir Will. Armine. Sir Arthur Haslerig. Sir Hen. Vane, Jun. John Crew. Rob. Wallope. Oliver St. Johns Sol. Oliver Cromwell. Samu. Browne. Nath. Fiennes. Sir John Evelin, Junior.

68.

Friday 14 *Janu.* after a long debate it was ordered that Sir *Lewis Dives*, Sir *John Stowell*, and *David Jenkins*, be tried as Traitors at the Kings Bench: the Grand Jury had found the Bill against *Jenkins*. Master Solicitor, &c. appointed to manage the business,

White-Hall and the *Mewes* Garrisoned.

business, * but *Jenkins* is so great a Lawyer, that the Solicitor durst not venture upon him, the long sword being more powerful in his mouth than the Law; wherefore the Solicitor found an *Error in the Indictment*, turned him back againe upon the House to be impeached before the Lords, to whose Jurisdiction he pleaded: so the Solicitor put the affront from himself upon the Houses. It was now 12. of the clock, and many of the *Independent* party began to cry, Rise, rise; The Presbyterians thinking all had been done: many went to dinner, yet the *Independents* sate still: and finding the House for their turne, moved, That a Letter might be forthwith sent to Sir *Tho: Fairfax*, to send a convenient number to *Garrison White-Hall*; and a party of Horse to *quarter in the Mewes*. The Lords concurrence was not desired to this Vote, but the Letters immediately drawn and sent.

See Iudge *Jenkins* Remonstrance to the Lords and Commons of Par. 21. Feb. 1647.

Observe that before this Vote passed, diverse forces were upon their March towards the Towne, and came to *White-Hall* Saturday following by eight of the Clock in the morning.

Saturday, 15. *Janu.* The Army sent a Declaration to the House of Commons, Thanking them for their 4 *Votes* against the King, and promising to *live and die with the Commons*, in defence of them against all opponents. Many of the *Lords* had argued very hotly against the said 4 *Votes*, insomuch that it was ten Lords to ten; but this engagement of the Army, and the unexpected garrisoning of *White-Hall* and the *Mewes*, turned the scales: so that they passed the said 4 *Votes*, only adding a short preamble (little to the purpose) holding forth some reasons for passing them, to which the Commons, when they came down, assented. When presently (about 12. of the clock the House being thin) *Dennis Bond* moved, That whosoever should act against those 4 *Votes*, or incite others to act against them, should be imprisoned and sequestred.

69. The Armies Declaration thanking the Commons for their 4 *Votes*.

70. The Lords passe the 4 *Votes*

Three or four dayes after the *Lords* had passed the said 4 *Votes*, the Army vouchsafed to *spit thanks in their mouths*, and make much of them. These 4 *Votes* were generally sinisterly taken, and filled mens mindes with suspicion, what forme of government the *Grandeess* would set up, now they had laid by the King: and every mans mind prefiged a new War; which they conceived the *Independent Grandeess* were willing to have, to colour their

71. The Army thanks the Lords.

keeping up this Army, and raising money to maintaine them : and every man began to lay the project of a new War at their door : notwithstanding (by way of prevention) they had impeached divers Members and Citizens of London, for endeavouring a new Warre when they did but raise men for their selfe-defence.

72.
The Declaration
on against the
King.

To shew the people therefore, the reasons of these 4 Votes, the *Independent Grandees* appointed a Committee to search into the Kings Conversation, & errors of his Government, & publish them in a Declaration to the world : wherein they objected many high crimes against Him, concerning His Fathers death, the losse of *Rochele*, and the Massacre and Rebellion in *Ireland* : which upon debate in the House, were very much moderated by the *Presbyterians* : of which Declaration I will only say, That they have set forth no new matter therein, which they have not formerly published in parcels : since which time they have taken and caused others to take the Nationall Covenant ; whereby they vow to maintaine the Kings Person, Crown and Dignity, in defence of Religion, Laws, and Liberties : and therefore to reprint only the same things as Arguments to lay by the King, favours more of designe, then justice. I will wade no farther in the censure of the said Declaration, lest I imitate the Authors of it : and as they by a feeble accusation have done the King much right, so I by a weak defence should doe him much wrong. The people were as ill satisfied with this Declaration as with the four Votes, where-

73.
Tho: Haslerig's
Letter concern-
ing the King.

foote 24. Febr. Mr. Speaker, with much seriousness, presented to the House a Letter out of *Leicester-shire* from *Thomas Haslerig*, (brother to Sir *Arthur*) which was read to this purpose, That there was one Mr. *Smalling* a Committee-man of *Leicester-shire*, who had been a Deputy-examiner in the *Star-chamber*, and affirmed, that above twenty years since there being a suite in *Star-chamber* betwene the Earle of *Bristol* complainant, and the Duke of *Buckingham* defendant, concerning Physick presumptuously administred by the said Duke to *K. James*, the said *Smalling* took many depositions therein, and was farther proceeding in the Examinations, untill a Warrant signed by the King was brought him, commanding him to surcease and to send him the Depositions already taken ; which *Smalling* did : yet kept notes by him
of

of the principall passages, doubting what farther proceedings might be hereafter, in a businessse of such importance. Sir *Henry Mildmay* moved that *Smalling* be sent for and examined upon oath by the Committee that penned the said Declaration: but upon motion of the Presbyterians, he was ordered to be examined at the Commons Bar. *Smalling* came, produced the Warrant, but no notes: so this *Chimera* vanished. What the said Committee would have made of this, who knows? God blesse us all from clandestine examinations, especially when they are taken by parties preingaged. 3. *Caroli* this businessse had been ventilated and examined against the Duke, and no mention made of poysoning or killing *K. James*, It was then only called an *Act of high presumption and dangerous consequence in the Duke*: nor was there then the least reflection upon *K. Charles*; yet now because *K. Charles* dissolved that Parliament, the Independent party were willing to raise a suspicion against him concerning his Fathers death: whereas the Accusation against the Duke of *Buckingham* 3 *Caroli* contained seven or eight Charges against him, the least whereof might occasion the dissolving of that Parliament.

These desperate courses (to dishonour the *King* and make him incapable of Government, to ruine his Person, Crown, and Dignity, and extirpate Monarchy root and branch) were taken in order to the *usurping of the Kingly power into the Grantees of the Parliament and Army*, and in case they could not purge the two Houses and make them wholly Independent, (which they now despair of) then into the hands of the Committee, or Councell of State at *Derby House*, and *Grantees of the Army*. In order to which, they are now contriving to strengthen the said Committee with more power and more Members, and to adjourn the Parliament and send downe the Presbyterian Members into the Country upon pretence of service, where if any Tumults happen (for which their extortions will give sufficient provocation) the said dissenting Members shall bear the blame; and have Black Impeachments given them to purge them out of the Houses, if not out of the world; or at least be sequestred: for now they have squeezed what they can out of the *Kings* party by Sequestrations, the next fuel to their covetousnesse is to sequester the *Presbyterians*; and then to sequester one another: for they are already divided.

74.
Why the Independents went so high against the King: To usurp the Regall power into themselves either in the Houses purging: or in the Committee of safety at *Derby house*.

vided into *pure Independents* and *mixed Independents*, and have feuds amongst themselves, for this Faction; (insatiate with mony and blood) are all beasts of prey, and when they want prey, will prey upon one another: nor shall the Houses meet above one Month or two in a Year to ratifie and approve what *Derby house* and the *Junto* of the Army shall dictate to them: and to give an Account to the domineering party how each Member hath carried himself in the Country: Thus in stead of *one King*, we shall have *twenty or thirty Tyrants* in chief, and as many subordinate Tyrants as they please to employ under them, with the Iron yolk of an Army to hold us in subjection to their Arbitrary Government.

75.
Why the Grantees doe still continue to truck with the King: notwithstanding the said 4 Votes.

Notwithstanding the aforesaid four Votes and Resolutions, the Caball of *Grantees* still keep *Ashburnham* and *Barkley* in the Army, and have sent diverse *turn-coat-Cavaleers*, and *Emissaries* underhand *disguised to the King*, who pretending that by Bribes they have bought their admission to him, after some insinuations endeavour with false and deceitfull newes and arguments to shake his constancy: and perswade him *to passe* the said 4. *dethroning Bills*; (for these usurpers of Sovereign Authority long to turne their Armed and violent Tyrannie into a legall Tyrannie) or (at least) to make him *declare against the Scots coming in*. In both which cases he will dishearten his friends, who endeavour to take the golden reines of Government out of the gripes of these *Phaetons*, and restore them againe to his hand, un-king himself and his posterity for ever, be carryed up and down like a stalking horse to their designs, and be Crowned *Ludibrio Corona*, with straw or thornes. For who can think that at the end of 20 yeares, these Usurpers will lay down what they have so unjustly contrary to all Laws, Divine and Humane, and contrary to their owne *Declarations, Oaths* and *Covenants* extorted? and who can or dare wrest those powers out of their hands, being once settled and grown customary in them: the peoples spirits broken with an habituall servitude; a numerous Army and Garrisons hovering over them; and all places of Judicature filled with corrupt Judges; who shall by constrained interpretations of the Law, force bloody presidents out of them, against whosoever shall dare to be so good a Patriot as to oppose their Tyrannie? They that

that could make steel sharp enough to cut Captain *Barlyes* throat for attempting to rescue the King out of the hands of a *rebellious Army* that neither *obeyes King nor Parliament*, will find gold and silver enough to corrupt all the *Judges*, they mean to prefer and make them *wyl'd and wilde* enough for their purposes. But it is hoped he hath more of King, more of man in him then to lose his principles, and stumble againe at the same stone, dash againe upon the same rock, whatsoever Syrens sing upon it; knowing he hath a Son at liberty to revenge his wrongs, all the Princes of Christendome his Allyes, whose common cause is controverted in his sufferings, the greatest men of *England and Scotland* of his bloud, and the people generally (whose farthest designe was to preserve their Lawes and Liberties, and to defend the Parliament from being conquered by the Sword) looking with an angry aspect upon these Seducers, who by insensible degrees and many forgeries have engaged them farther then they intended, not to the defence of Religion, Law, and Liberties, but to the setting up of *Schisme, Committee law, and Martiall law, Impeachments before the Lords, and unlimited slavery.*

And I am confident this Faction despaire of working upon the King, whodlike a rock in *mediis tutissimis undis*, whatsoever reports they give out to the contrary, having from the beginning made lies their refuge, which being wisely foreseen by the King, he sent a Message to both Houses, (by way of prevention) delivered in the painted Chamber by the Lord of *Landerdale* one of the Scots Commissioners: consisting of three heads.

1. That He was taken from Holdenby against His will.
2. That they should maintain the Honour and Priviledges of Parliament.
3. That they should believe no Message as coming from Him during His Restraint in the Army, but should only credit what they received from His own mouth. These Grandees have cheared all the interests of the Kingdom, and have lately attempted the City again, and had the repulse. But the King is their old customer, and hath been often cheated by them, and having Him in strict custody, peradventure they may perswade Him it is for His Safety to be deceived once more: wherefore (notwithstanding their many endeavours to root up Monarchy, dethrone the King, and his Po-

sterity, and usurp His power : in order to which, they have overwhelmed Him, and all His, with innumerable calamities and reproaches) yet since the passing of the Declaration against the King, their desperate condition hath enforced them to make new addresses in private to Him : notwithstanding their four Votes inflicting the penalty of Treason upon the infringers. But Treason is as naturall to *Cromwell* as false-accusing, protesting and lying : he is so superlative a Traytor, that the Laws can lay no hold of him. *Lieut. Col. Lylborne*, in a verball Charge delivered at the Commons Bar, accused him of many Treasonable acts, which he avoweth to make good : and in his Book, called, *A Plea for a Habeas Corpus* : But as if *Cromwell* were a Traytor cum privilegio, the House of Commons (being under his armed Guards) dares take no notice of it. But the Roman Tribune said to *Scipio Africanus*, in *Livy*, *Qui jus aquam ferre non potest, in eum vim hand injustam fore*. He that exalts himself above the law, ought not to be protected by the law.

To conclude, *Cromwell* hath lately had private conference at *Farnham* with *Hammond*.

The Earle of *Southampton* hath been courted to negotiate with the King, and offered the two Speakers hands for his warrant.

Capt. *Titus* taken into favour, and imployed that way.

These Grandees have brought themselves into a mist, and now wander from one foolish designe to another.

The Spaniard is said to forecast in his debates, what will happen forty years after. But these purblind Politicians doe not foresee the event of their Councils forty daies, nay howers beforehand ; but it is a curse laid upon wicked men, to grope at noone day.

About the 5. or 6. of Jan. 1647. the Scots Commissioners had written certaine Letters to the House of Commons ; one whereof repeating the four Votes against the King ; propounded to know, whether the Houses by their Votes, That no person whatsoever do presume to make or receive any Application or address to, or from the King ; would debar the Scots to make or receive any Addresses to or from him, and so put an incapacity upon Him to perform Acts of Government towards them. In the debate, the Independents called to mind a more ancient Vote, whereby it was ordered, That the Scots might be admitted to the King. Against which, was alleged, That these

76.
Debates in the
House of
Commons upon
the Scots
Letters.

1. Concerning
the said four
Votes.

these latter Votes being made generall, without exception, Repealed that former Vote. At last by an interpretative Vote, it was concluded, That notwithstanding the said four latter Votes: the former Vote, That the Scots Commissioners might make Addresses to the King, was still in force. Observe that this was done four or five daies after the Scots Commissioners were on their way towards Scotland.

The second Letter was concerning 100000*l.* due by contract to the Scots from the Parliament, whereof 50000*l.* was payable by assignement to divers Scots Gentlemen who had advanced money to hasten the Scots Army to our Relief; whereof 10000*l.* was payable to the Earle of Argyle.

2. Concerning 100000*l.* due to the Scots,

Sir Henry Milamoy made a long Speech in praise of Argyle, saying, That he and his party, and the Scottish Clergy were the only men that upheld the English interest in Scotland, and were better friends to us then all Scotland besides: wherefore he moved that Argyle might be payed his 10000*l.* and the rest continued at Interest at 8*l.* per cent. Presently the whole Independent gang, with much zeale and little discretion, ran that way, untill more moderate men stopping them in full cry, minded them what dishonour and danger they might bring their friends into by laying him open to suspicion.

After this, it was Resolved to send four Comons, and two Lords into Scotland as Commissioners, with Instructions: to send all Independents, would not be acceptable; Two Presbyterians Comomers therefore were sent, one whereof was sweetned with the gift of 1000*l.* and an Office before they would trust him: with them were sent Mr. Hearle and Mr. Marshall.

77. Six Commissioners sent into Scotland.

Marshall, when he saw Independency prevaile, had secretly turned his coat the wrong side outward, and joynd interest with Mr. Nye. But before he declared himself, he was to do some service for his new party: Wherefore when the Army looked with a threatning posture upon the Parliament and City, before they marched through London, (the common Souldiers being in such discontent for want of pay that they were ready to mutiny and disband, and their Officers scarce daring to governe them) the first fruits of Marshall's service to his new friends was to persuade the City to lend the Parliament 50000*l.* to pacifie the

78. M. Marshall.

The History of Independency.

Souldiers : assuring them by Letters that the Army had nothing but good thoughts towards the City, onely the common Souldiers was troubled for want of pay : after the City had laid down the said 50000l. his next labour was, to perswade the Citizens to let the Army march through the City without opposition for avoiding of bloodshed and firing : and to let them possesse the Tower, and Line of Communication. After these services, the Grandees of the Parliament and Army, finding him suitable to them, received him into an avowed favour ; and then four *Independents*, and four *Presbyterian Divines* (conjoyning their interests) were sent to season the Army, and new tune them according to the more moderne designe : *Marshall* was one ; where, after he had preached according to the Dictates of the Grandees of the two Houses and Army for divers weeks, *Marshall* was thought fit to attend the Commissioners into *Scotland* : He and Mr. *Nye* had been sent to *Carisbrooke Castle* formerly with those Commissioners that carried the four Bills to the King, and had 500l. apiece given them for their journey.

Scotland, a longer journey, promised a larger reward : it is good being a postilion of the Gospel at such rates.

The Sunday before he went, he preached at *Margarets Westminster*, and as much cried up Presbytery and the Covenant there, as he had before slighted them in the Army. This was a *preparation Sermon* to make him acceptable to the Scots, that he might cajole them the easier. Before he went he sent his Agents from house to house at *Westminster* to beg mens good wills towards his journey. He was willing upon this pretence to get what he could from *St. Margarets Parish*, where he found the people to grow cold in their affections and contributions to him. Wherefore having made his bargain before he went, to leave *S. Margarets*, and officiate in the *Abby*, where he is to have 300l. per annum certain allowance, he would rob the *Egyptians* at *S. Margarets* for a parting blow. This Priest married his owne Daughter with the Book of *Common-prayer* and a Ring, and gave for reason, That the *Statute* establishing that *Liturgie* was not yet repealed, and he was loath to have his Daughter whored, and turned back upon him for want of a *Legall Marriage*: yet he can declare against all use of it by others. He hath so long cursed *Merox* and *neutrality*, that he hath

hath brought Gods curse upon the land : and hath put Church and Common-wealth into a flame, but himself and his Brats have warmed their fingers at it : as monies are detried or enhaunced by the Kings authority, so is every mans Religion cried up or down by *Marshall's* authority and stamp.

About the 24. Feb. the *Answer to the Scots Declaration* began to be debated in parts : in which Debate the *Covenant* was much undervalued, and called an *Almanack out of Date*. *Nath: Fiennes* argued against it, That that clause in the *Covenant*, [*To defend the Kings Person, Crown, and Dignity, &c.*] was inconsistent with their four Votes, for making no *Addreses to the King* : To which was answered by some, That then they would relinquish the four Votes and adhere to the *Covenant*.

79.
The Answer to the Scots Declaration.

About the beginning of *March*, was given to Col. *Sydenham* and Col. *Bingham* 1000l. apiece, as part of their Arrears : their Accounts not yet stated. To the Lord of *Broughill* 2000l. To Master *Fenwick* 500l. for losses. To Mr. *Milington* 2000l. for losses. To Col. *Ven* 4000l. notwithstanding it was moved he might first account for Contribution-money, the Plunder of the Country about *Windsor*, and the Kings Household-stuffe, Hangings, Linnen, and Bedding. Mr. *Pury* the Petty-bag Office, besides 1000l. formerly given him. To *Pury's* Son, the Clerke of the Peers place, and 100l. a yeare : all *Independents*.

80.
Money shared amongst godly Members.

The 7. of *March*, an Ordinance passed the Commons to settle 2500l. a year land, out of the Marquess of *Worcester's* Estate, upon Lieutenant Generall *Oliver Cromwell*. I have heard some Gentlemen, that know the Mannor of *Chepflow*, and the rest of the Lands settled upon him, affirm, That in the particulars the said Lands are so favourably rated, that they are worth 5000l. or 6000l. a year : It is farther said those Lands are bravely wooded. You see though they have not made King *Charles*, a glorious King, as they promised : yet they have settled a crowne Revenue upon *Oliver*, and have made him as great and glorious a king as ever *John of Leyden* was. Wonder not that they conspire to keep up this Army, as well to make good these Largeesses, as to keep their guilty Heads upon their shoulders.

81.
Cromwell.

Thursday 9. *March*, the Lords sent a Message to the House of Commons, To desire their concurrence to the Engagement of those

82.
A Message from the Lords, desiring the Commons concurrence to the engagement of the Members with the Army.

The engagement approved by Thiers.

Members that fled to the Army, to live and die with the Army. It was Debated all day, untill seven of the clock at night; and at last the question put, *That this House doth approve the subscription of the said Members to the said Engagement.* The House divided upon the question, yeas 100. noes 91. Observe 1. that Mr. Solicitor, Haflerig, and many more, when they perceived difficulty in passing it, began to skirmish with their long sword againe. And many told them, *they must give content without dores* (meaning, to the Army) *as well as within, or else all would go naught.* 2. 44 Of those Members that engaged with the Army fate in the House, and voted in their owne case; many of them carrying themselves very high and insolently in their gestures and expressions. 3. Many Presbyterians left the House because it was late, and some (as it is thought) not daring to vote in the negative. 4. This engagement about six Months agoe had been sent to the Commons by the Lords once or twice, and was rejected; yet now was obtruded upon them again by the Lords, who would not acquiesce; contrary to the Priviledges of the House of Commons. 5. This approbation thus surreptitiously gotten, is equall to a Pardon sued forth before conviction, which in law amounteth to a confession of the crime. 6. The *Agitators* tell you in *Derby-house projects*, p. 7.

83.

The temper of the House tried, had the engagement not been approved, a new Charge from the Army intended.

That this engagement was sent down to the Commons to try the temper of the House, and if the House had not approved of the Engagement, the resolution of their secret Council was to sue to their Arms, and make a new Charge against their principall Opposers; for they acknowledge amongst themselves, that they Rule by power only, and that the House of Commons is no longer theirs then they over-awe them, and that they fear the Criticall day will come which will discover the Parliament to be no longer theirs then while they have a force upon it.

As men ready to sinke, embrace every shadow of help, and catch hold of leaves, twigs, and bulrushes, to support them: so these desperate and purblind Projectors, having engaged themselves in a way of Tyranny, out of which, they can find no issue; lay hold of frivolous inventions to peer up from time to time their ill laid designs, like the man in the parable that patched up his old Garment with new cloth, which breaking out again left the rent wider then it was before.

84.

A project to unite all Interests.

Their last project was to unite all interests in the Houses, City and

and Army: To which purpose *Cromwell* (the heaviest, basest and most ridiculous Tyrant that ever our noble Nation groaned under) made a Speech in the House of Commons: to which was answered, *That the Members were chosen and trusted by the people to pursue on common interest, which was, the common good, the Safety and Liberty of the people: and whosoever had any peculiar interest eccentricke from that, was not fit to sit in that Assembly, and deserved to be called to a strict account by those that trusted him.*

Observe that the extent of this project was to conjoyn these three interests for upholding the greatness of the Grandees, in the Parliament, City, and Army; for in all three the vulgar multitude, and the more modest and honest sort, are but in the same condition with other men: The Parliament bearing the Authority, the Army the Sword, and the City the Purse.

The first shall be the Task-masters, and impose Tribute.

The second, the Sheriffs, or rather Free-booters, and levy it by distresse.

And the third, the Brokers to receive it, and buy it off.

But it pleased God to bestow so much providence and integrity upon the City, that when upon Saturday, 8. April, 1648. *Cromwell* and his fellow Grandees offered this temptation (at a Common Councell) to them;

The City grew wiser then our first Parents, and rejected the Serpent and his subtilties, in so much that *Cromwell* nettled with the affront, called his Solicitor *Glover* to account by what authority he had offered the restitution of their Tower and Militia, and the enlargement of their accused Aldermen: who answered, he did it by his authority & delivered him a Warrant to that purpose signed by Sir *Tho: Fairfax*, *Oliver Cromwell*, Mr. Solicitor, and young Sir *Henry Vane*: which *Cromwell* had the impudence to put in his pocket.

Cromwell had felt the pulse of the City long before by his Agents *Glover* and *Watkins*, and found them averse from complying with him: wherefore (being a man of an early as well as an implacable malice) he (by advice of the Committee of *Derby-house*) cast about with the schismaticall Lord Mayor *Warner*; (he that raised the ridiculous Tumult at Christmas about *Rosemary* and *Bayes*: a man that had been chosen Mayor by power of Parliament

85.

A device to put the Apprentices into a Tumult.

The History of Independency.

liament (out of course) to carry on the designe of the Faction) and with the Lieutenant of the Tower how to put the City into some distemper, of which they might take advantage. The Citizens were well acquainted with their juggling tricks, they had no hopes to work upon them: wherefore they contrived how to put a provocation upon the silly Apprentice Boyes, and put them forth into some rash action, of which they might make use to carry on their designs against the whole City: wherefore upon Easter-day, 1647. in the evening some few Apprentices playing in *Finnisbury fields*, some Souldiers were sent to drive them away; which they did, and imprisoned some of them for not readily obeying: Upon Sunday following, 9. April, divers Apprentices being at play (according to custome) in *Moore fields*, the Mayor sent Captaine *Gale* (one of the new Captains of the Hamlets, a Silke-Throster and a Tub-preacher, and one that ran away at the Fight at *Newbury-wash*, and hid himself in a Ditch, as my L. *Wharton* at the Battle of *Keynton* hid himself in a Saw-pit) thither to disturb them, with about 50. or 60. of his Trained Band and no more (that he might the better encourage the Boyes to resist him) who surlyly asking them *what they did there*; some of them answered; *they did no harm but only play, and since all Holydaies have been Voted down they had no other time of recreation*: The Captain insolently commanded them to *be gone*: they replied, *he had no authority so to doe*, and continued playing: whereupon the Capitaine commanded his Musquetiers to *shoot amongst them*; which they forbearing, he took a Musquet himself, and discharged amongst them, when presently two or three schismaticall Musquetiers of his Company following his example discharged upon them likewise, and killed (or as the Schismatics say, wounded onely) one of the Boyes: whereat the Boyes making a great out-cry, more company gathered to them, and so with stones, Brick-bats, and sticks they dispersed the Trained Bands: and at last, got their Colours, and instantly in a childish jollity marched (unarmed as they were) towards the *Mewes*, when presently a party of Horse (ready prepared for this fore-laid designe) met them, charged and with ease routed them, *Cromwell* himselfe animating the Troupers to *shoot and spit them, and to spare neither man, woman, nor child*. All Sonday night the Apprentices kept in a body in the City,

City, locked the City gates, but set no Guards upon them; whereby you may see this business proceeded merely from the rash and un-premeditated folly of Children, not from the advice of men: howsoever the Independent faction in the *House of Commons* have since aggravated it, to countenance their future cruelty and rapines upon the City: Monday morning Sir *Tho: Fairfax* sent a strong party into the City, who fell upon this boyish rabble, routed and killed many, and shot poor Women great with child, sitting in their stalls, one whereof the child lived two howers in her belly after her braines were shot out: a man likewise not knowing of their comming, as he was drinking milke at the corner of a street, was shot (as it were) in sport: as they rid, they cried, *Cuckolds keep your houses*, cutting and wounding all they met; *Cromwell* (who followed in the Reare safe enough, the Van having cleered the streets before him) crying out to them *to fire the City*. Oh *Oliver*! what a barbarous *John of Leyden* art thou become? Oh *London*! how wretched a *Manster* wilt thou become? at last they drove those silly unarmed wretches into *Leaden hall*, and took many of them Prisoners, none of the Trained Bands nor Citizens appearing to help these poor Boyes, but leaving the Souldiers to get as bloudy and as boyish a Triumph over them, as they pleased, they are now imprisoned in *Cromwell's* shambles at *White Hall*. This is the truth of the business, notwithstanding the long-winded lying report made by Alderman *Fonkes*, at the Commons Bar: a man that hath feathered his nest well these miserable times, and hath much publike money sticking to his fingers; who when he gave in his Accompt before the generall Committee of Accounts, refused to give it in upon Oath (as other men did) alleaging *Magna Charta*, that no man was bound to accuse himself: It should seem he had something in his Conscience that would not endure the Test of an Oath: But he is one of the Godly, and therefore the good things of this World belong unto him. The House of Commons (upon this occasion) gave 1000*l.* to the Souldiers for this valorous exploit, and voted 1000*l.* Foot, and 100*l.* Horse to be kept in the Tower. The Garrisons of *White Hall* and the *Menes* to be strengthened: three Barges capable of 50*l.* Musquetiers a peece to lie at *White Hall* for the Souldiers to convey themselves to any landing place to disperse such Water-men as shall

assemble: The City Chaires to be taken away from their posts; and a Commission of Oyer and Terminer to Issue forth to murder more of these Children legally. The Major having kindled this fire in the City, stole out at a window disguised, and hid his foolish head in the *Tower*. The House of Commons (over-ruled by the *Grandees*). Voted a day of Thanks-giving for this Delivery. So bold are these Saints, as to mock Gods holy Name with impious devotions to colour their designs.

86. The Lord *Inchiquin*, president of *Munster*, and Generall of the Army there, had a long time been heaved at by the *Independent* faction. The Lord *Lysle*, (who gaped after his imployment) Sir *John Temple*, *Cromwell*, the Lord *Broughill*, Sir *Arthur*, and Sir *Adam Loftus*, and others: who by obstructing all supplies of Money, Ammunition, Victuall, Cloathes; laboured to mutiny and disband his Army, that they might send Schismatics of their owne party to Lord it there, as they doe here, and keep *Ireland* as a Retreat for the Saints: for the better effecting whereof, they had sent over many emissaries, whom they had commended to him, to be officers in his Army. When this would not doe, they printed Scandalous Articles against him, & put infinite provocations upon him to incite him to doe that which they falsely accused him to have done already: But the many gallant services he performed since the publishing those Articles, gave them the lie, and confuted all their slanders; at last (under colour of sending a supply of forces to him) they projected to surprize him, and bring him away prisoner: So that he hath suffered all the convulsions that treacherous friends, and malicious enemies could put upon him. And lately (for the more close conveyance of the designe) the Houses sent three Commissioners towards *Ireland*: to survey his actions: but (as if it were purposely done) when the Commissioners came as far on their way as *Bristol*, about a dozen renegado Officers of his Army met the Commissioners and turned them back againe. The said Officers posted up to the Parliament before the Commissioners, & the 13. *Aprill* were called in to the Commons Barre, where they made a relation to the House, to this purpose: That the Lord *Inchiquin* having made an expedition into the County of *Kerry*, upon his returne, sent for these Officers into his presence Chamber, and told them,

them, He intended to declare against the Army and Independent party in England, who kept the King and Parliament under a force: That he would stand for the liberty of the King and Parliament, and a free conference to settle Peace; and that he expected all his Officers should joyne with him in so honourable an undertaking; but should take an Oath of Secresie, before he discovered himselfe farther to them. They answered, They could take no such Oath before they knew whether they might with a safe Conscience keep it: saying, they would be true to the Parliament. My Lord Inchiquin replied; So have I, and will be; delude me not with ambiguous words. Doe you mean this pretended Parliament? telling them farther, he had good correspondence with all the Presbyterians in Scotland and England, as well in the Parliament, as out of it; that he doubted not to goe through with his undertaking; and if the worst hapned, to make good conditions for himself and his party. That he would make peace with the Lord Taffe, and that he knew the Independents in England were upon treaty with Owen, Roe, O'neal, who was a man of their humour, and loved to keep all in a combustion. They refusing to joyne, he dismissed them for England. The same day Letters from Captaine John Crowther, Vice-admirall of the Irish Seas from a Ship-board, were read in the House, much to the same purpose, though not so large: wherein he said, he had already blocked up all my Lord Inchiquines Havens.

Presently Allen the Goldsmith moved, That since the Lord Inchiquine had discovered that he had a correspondency with the Presbyterians in the House, before they dealt with their Enemies without doores, they should try who were their enemies within doors, by putting all men to some Covenant, Engagement, or Protestation, &c. and Lieutenant Generall Cromwell said, That being to debate this businesse to morrow, whosoever with crossie Arguments shall spin out the debate, and so retard our proceedings, (by my consent) shall be noted with a black coale: to which was Answered, That this tended to take away freedom of debate, which was the life of Parliaments and of all Councils: and was destructive to the very being of Parliaments. (It is not amisse to insert here by way of digression, what I formerly omitted) Sir Henry Mildmay long since moved, That 150. rich Guard-Coates of the Kings, might be sold for 800.l. to finde fire and

87.
Allen the Goldsmith, moveth; to put the House to the touch, by some Covenant Declaration.

The History of Independency.

candle for the Souldiers in *White-Hall*. The Question put: The Speaker gave judgement, the *Yeas*, had it. Master *Edw. Stephens* declared the *Noes*, had it. They were unwilling to divide upon such a Question: But *M. Stephens* persisted; and *Robert Reynolds* laid aloud, *notice shall be taken of him, for putting such a dishonour upon the House*. Upon the Division, the *Noes* carried it by nine voices. Thereupon complaints was made against *Reynolds*, for attempting against the liberty of Voting, but no redresse. But to returne from my digression. The next day 14 of *Aprill*, it was moved, that my Lord *Inchiquins* son, a child of 8 or 9 years old, going to Schoole at *Thistleworth*, might be secured in the *Tower*, and kept for an Hostage. To which was Answered, That no man could give an Hostage. An Hostage must be given upon the publick faith, upon some stipulation, and must be so. received, by mutuall agreement, you cannot punish the Child for the Fathers fault; yet he was Voted to the *Tower*, and sent. My Lord *Inchiquins* Commission as president of *Munster*, and Generall of the Army, Voted voide, and no man to obey him, himselfe Voted a Traytor: Yet no man examined upon Oath against him, nor any man sent to take information of the businesse into *Ireland*, and his professed enemy the Lord *Lisle* is to goe Generall into *Munster* in his roome; and the said fugitive Officers all rewarded, as if they had brought acceptable newes. This day *Reynolds* revived *Allens* motion for putting the Members to the Test, by some Covenant, Protestation, or Declaration subscribed, That this is a free Parliament, and that they would live and die with this Parliament and Army: To which was Answered. 1. That by Ordinance of both Houses, all men were enjoyned to take the Nationall Covenant. This Covenant is the true Touch-stone of the Parliament, and so agreed upon by the wisdom of both Nations: Yet many sit here who refuse to obey this Ordinance: I know no reason therefore, why any man should obey you in any other Ordinance of this nature: let us keep the old Covenant before we take any new. 2. It hath been moved in this House, that the Oathes of Justices of the Peace and Sheriffes, might be taken away: I hope you will not abolish legall Oathes, and impose illegall Oathes. This House hath not so much Authority, as to administer an Oath, much more to impose one: you must allow to others

others that liberty of Conscience which you demand for your selves. 3. Major Gray told you, my Lord *Inchiquine* said he had correspondency with all the *Presbyterians* in the House, who had made their peace with the King. But my Lord *Inchiquine* told him farther, the *Independents* were upon Treaty with *Owen, Roe, Oneal*, let them clear themselves of that imputation first, before they give a purgation unto others, otherwise what you doe, will favour of force. 4. The true Touch-stone to try every mans integrity is, To examine, who have enriched themselves by the calamities of the times and your service: and who are impoverished. 5. This is a new device to Purge the House.

The *Grandeers* of the House have cantonized the Kingdome between, them every man in his *division* protecting the Country Committees, and receiving tribute from them in recompence of their protection; and *Prideaux* the Postmaster being king of the *West Saxons*, his Viceroy or Lord Deputy for the County of *Somerset* is that running Colonel *John Pyne*, who being often inspired with Sack, rules the Committee and County by inspiration. *Pyne* and his Peers of the Committee, to please his Superiours, set on foot a draught of a *Petition* to be handed by the Country: *Giving thanks to the Parliament for their 4 Votes against the King, and promised to live and die with the Parliament and Army, and desired the County might be freed from Malignants, Neuters, and Apostates*; which (in their interpretation) signifies *Presbyterians* and moderate men, who will not daunce about the flame when the *Independents* make a bonfire of the Common-wealth. The *Eastern* Division of *Somerset-shire* rejected the *Petition*: in the *Western* Division *Pyne* and his Committee sending abroad their *Sequestrators*, with the *Petition*, (and threatening to take them for *Malignants* and *sequester them that refused*) got many subscriptions; but the Subscribers since better enformed of the danger and mischief of those Votes, retracted what they had done by a counter-*Petition*, wherein they declared that *their Subscription to the former Petition was contrary to their judgment and conscience, and extorted by terror of Sequestrators, and threats of being sequestred*. This affront stung the Committee, and opened the eyes of the Country: as the like foolish attempt of *St H. Mildmay* did the eyes of the County of *Essex*. Wherefore to find a playster

88.
The Counties compelled to give thanks to the Houses for their Votes against the King.

for this broken pate, Sergeant *Wylde* (he that hanged *Capt. Burly*) comming that Circuit, care was taken to have a selected Grand Jury of Schismatics and Sequestrators blended together, who made a presentment subscribed by 19. of their hands, which Sergeant *Wylde* preserved in his pocket; and upon Tuesday 18. *April* delivered with as much gravity as a set speech and set ruffe could furnish him withall in the House of Commons, and was read and hearkened unto by the thriving godly, with as much attention, as pricking up of ears, and turning up of eyes could demonstrate: the contents of this Presentment were the same with the aforesaid revoked Petition. Great care was taken to give thanks to the high Sheriffe and Grand Jury, who had so freely delivered the sense of that well-affected County: and as much care taken to improve this Talent and put it to interest throughout the Kingdom. Colonel *Puresoy* is now at this worke in *Warwick-shire*. Sir *Arthur Haslerig* about *Newcastle*: others in other places. Pitifull Crutches to support a crippled reputation, which now halts and begs for relief worse then their owne maymed Souldiers do, and with as bad successe; they have juggled themselves out of credit, and would fain juggle themselves in again. Behold the wisdom of our *Grandeers*, wise, religious, new-modelled Politicians, who have brought themselves and the whole Kingdom into these deplorable, contemptible straights; take notice of your Representative you that are Represented, call them to a seasonable account: But whither doth my zeale carry me? I shall anon stumble upon a new-fangled Treason to be declared against me.

89.

Mens tongues
tied up by an
Ordinance.

Friday, 21. *April*, an Ordinance was presented to the House, intituled, *For suppressing all Tumults and Insurrections*, (the Committee of Safety at *Darby house* had before an ample power conferred upon them for that purpose; but guilty consciences though they be safe, are never secure; like *Cain*, they think that every man will slay them) it was passed after some amendments to this purpose, *That any three Committee men shall have power to Imprison and Sequester all such as shall actually adhere to any that shall raise, or endeavour to raise Tumults and Insurrections, or shall speak or publish any thing reproachfull to the Parliament, or their proceedings*: Behold here an excise (amounting to the value of all you have) set upon every light word: A man made an offender for a word

to

to the utter ruine of him and his posterity, under colour of *defending* *Laws*, *Liberties*, and *Properties*, you are cheated of them all, and reduced to meer and absolute slavery and beggery: you are not masters of your own carcases, yet your mouths are buttoned up, you must not be allowed that silly comfort of venting your griefs by way of complaint: what Tyrant was ever so barbarous, so indiscreet as to do the like? It was moved that Offenders of this kind might be bound to the good Behaviour, and the offence proved openly at the Assizes or Sessions, before so destructive a punishment be inflicted. There are three principles in law, of which the Laws are very tender, and will not suffer them to be touched but upon great offences, cleer proofs, and exact formalities observed; *life*, *liberty*, and *estate*, by *Magna Charta*, the *Petition of Right*, and many other Statutes; these principles are so sacred; that nothing but the Law can meddle with them, *Nemo imprisonetur aut disseisetur nisi per legale iudicium parium suorum*, you have made the people shed their money and blood abundantly, pretending *defence of Religion*, *Laws*, and *Liberties*, let them now at last (being a time of peace) enjoy what they have so dearly paid for; and delay them not with a pretended necessity of your owne making, you now make all that is, or can be neer and deer to them lyable to the passions of three Committee men to judge and execute according to their discretion without Law, or so much as a formality thereof: And yet both Houses of Parliament have often heretofore offered to abolish those Committees as men whose wickednesse and folly they and the whole Kingdom were ashamed of: The *Grandeers* of the Parliament and Army when the Houses are called and full, have resolved to draw their Forces nearer about the Towne, and by that terrour to try the temper of the Houses; such Members as will not comply with them, they will with fresh Charges purge out of the Houses, and publish base and infamous scandalls against them, to which if they submit with silence, they betray their reputations for ever; and spare the credits of their juggling enemies. If they make any defence for their honours by way of apology, they shall be brought within the compasse of this devouring, enslaving Ordinance, *as men that reproach the Parliament and their proceedings*. Thus the same whip shall hang over the shoulders of the *Presbyterians*.

rians

rian party (who wil not agree to *King-deposing, Anarchy, & Schism*) as it did formerly over the *Kings party*. And the *Presbyterians* shall be squeezed into the *Independents* coffers, as formerly the *King's party* were, so long as they had any thing to lose; for the whole earth is little enough for these Saints, who are never satisfied with money and bloud, although they never looke towards Heaven but through the spectacles of this world. The old *elogium* and character of the English Nation was, that they were, *Hilaris gens, cui libera mens, & libera lingua*. But now (*Country-men*) your *tongues* are in the *stocks*, your *bodies* in every *gaole*, your *souls* in the *darke*, and *estates* in the *mercy* of those that have no *mercy*, and at the *discretion* of those that have no *discretion*: Farewell *English Liberty*.

90.
Generall Con-
clusions.

I.
The *Grandeess*
have subverted
the fundamen-
tall Govern-
ment of the
Kingdome,
and why.

Out of these Premises I shall draw these Conclusions following :

1. **T**HE engaged Party have laid the *Axe* to the very root of *Monarchy* and *Parliaments*: they have cast all the mysteries and secrets of Government, both by *Kings* and *Parliaments*, before the vulgar; like *pearle* before *swine*: and have taught both the *Souldiery* and people to looke so far into them, as to ravell back all Governments, to the first principles of nature: he that shakes fundamentalls, means to take down the fabrick. Nor have they been carefull to save the materialls for posterity. What these negative Statists will set up in the room of these ruined buildings doth not appeare; only I will say, *they have made the people thereby so curious and so arrogant, that they wil never find humility enough to submit to a Civill rule*; their ayme therefore from the beginning was to rule them by the power of the *Sword*, a military Aristocracie or Olgarchy, as now they do. Amongst the aincient Romans, *Tentare Arcana Imperii*, to profane the mysteries of State was Treason; because there can be no forme of Government without its proper mysteries: which are no longer mysteries then while they are concealed. Ignorance, and admiration arising from Ignorance, are the parents of civil devotion and obedience, though not of Theologicall.

2.
They have sub-
verted the
Church.

2. Nor have these *Grandeess* and their party in the Synode, dealt more kindly with the Church then with the Common-wealth:

wealth: whose reverend Mysteries; their Pulpits and holy Sacraments; and all the functions of the Ministry are by their connivence profaned by the clouted shooe; the basest and lowest of the people making themselves Priests: and with a blind distempered zeal Preaching such Doctrine as their private Spirits (spirits of illusion) dictate to them: But let them know, that their burning zeal without knowledge, is like hell-fire without light. Yet the greatest wonder of all is, That they suffer the Lords Supper (that Sacrament of Corroboration) to be so much neglected in almost all the Churches in the Kingdome. Is it because men usually before they receive our Saviour, (that blessed guest) sweep the house cleane, casting out of their hearts, (those living Temples of the holy Ghost) *Pride, Ambition, Covetousnesse, Envy, Hatred, Malice*, and all other unclean Spirits, to make fit roome to entertaine *Iesus*, that prince of peace: whereby the people having their mindes prepared for *Peace, Charity, and Reconciliation*; may happily spoile the trade of our *Grandeess*, who can no longer maintaine their usurped dominion over them, then they can keep them disunited with quarrels and feudes; and uphold those Badges of factions, and tearmes of distinction and separation: *Cavaleers, Round-heads, Malignants, Well-affected, Presbyterians and Independents*? or is it because they fear, if the Church were settled in peace & unity, it would be a means to unite the Common-wealth, as a quiet cheerfull minde often cureth a distempered body? I will not take upon me to judge another mans servant; but many suspect this is done out of designe, not out of peevishnesse.

The Sacrament of the Lords Supper discontinued, and why?

3. That these *Grandeess* governe by power, not by love, and the the Lawes of the Land, (which was my last assertion) appears by

3. The *Grandeess* rule by the arbitrary power of the Sword, not by the Lawes.

1. The many Garrisons they keep up, and numerous Army they keep in pay to over-power the whole Kingdome, more then at first the Parliament Voted.

2. Their compelling the Parliament to put the whole Militia of *England* and *Ireland*, by Land & Sea, into the power of Sir *Tho: Fairfax* and their party.

3. Nor do they think the Laws of the Land extensive enough for their purposes; therefore they piece them out with Arbitrary Ordinances, Impeachments before the Lords, and Marshall Law, which is now grown to that height, that the Councell of War, Generall, and judge Advocate of the Army doe usually send forth in-

structions

The History of Independency.

Instructions to stay suites, and release judgements at Law, or else to attend the Councell of Warre, wheresoever they sit, to shew cause to the contrary: And when Lieut. Colonell Lylborne was ordered to be brought to the Kings Bench-Barre, upon his *habeas Corpus*, Easter Terme, 1648. *Cromwell* sent word to the Lieutenant of the Tower not to bring him, and *Cromwell* was obeyed, not the Judges. Thus the Laws of the Land are daily baffled, that men may be accustomed to Arbitrary Government, and those actions which no Law of the Land calls a crime, may be interpreted Treason when our *Grandeess* please to have it so.

4. Their allowing Money to some Committees to reward Informers, Spies, & Intelligencers to betray even their nearest friends & relations.

5. Their holding Honest, Generous, and Grave men in suspicion, and making the Houses of Parliament and Army snares to them, expelling them with false and extrajudicial Accusations.

6. Their owning dishonest, base minded men, that have cheated the State, as instruments fit to be confided in, and associate with them in time of danger.

7. Their impoverishing the people with confused Taxes, decay of Trade, and obstructing of the mint, and thereby breaking their spirits.

8. Their changing and dividing the Militia of London purposely to weaken it.

9. Their not restoring to the Countries their Militia, and trusting them to defend their owne houses as formerly.

10. Their nourishing factions in the Common-wealth, Schismes in the Church.

11. Expelling learned Divines to let in ignorant men. All these are Tyrannicall policies grounded upon the old principle; That a Tyrant should deprive His Subjects of all things that may nourish courage, strength, knowledge, mutuall confidence and charity amongst them; which Maxime the best Politicians say contains the whole Systeme or method of Tyrannicall Government.

4. The Independents divide the Taxes, Spoiles, & Preferments of the Land between them.

4. As this encroaching faction have usurped all the Military and Civill power of both Kingdomes; so they have Monopolized all the great Offices, Rich employments, and Treasure of the Land; They are cleerly the predominant party in all money Committees; They give daily to one another for pretended Services, Arrears, and Losses, great summes of money; many of their largesses

gises I have already set down, They gave lately to Colonel *Hammond* Governour of the *Ile of Wight*, for his Table 20l. a week, 1000l. in money, and 500l. a year land; to Major Gen. *Skippon* 1000l. per annu land of Inheritance; to Col. *Miston* 5000l. mony. All the cheating, covetous, ambitious persons of the land, are united together under the name and title of *The Godly, the Saints, &c.* and share the fat of the land between them, few of them pay any Taxes, but all the Land paies Tribute to them. It is thought this Faction, their under-Agents and Factors have cost this Commonwealth above 20 millions never laid forth in any publike service. Nay, the Treasurers and Publicans of this Faction have clipped and washed most of the mony that comes into their fingers before they pay it forth, knowing that any mony that comes out of their fingers will be accepted; two Gold-smiths are thought to be dealers this way, yet they lay the blame on the Scottish Army, as the Cuckow laies her brood in other nests.

5. Having thus impd their wings for flight, they have provided themselves of places of retreat in case they cannot make good their standing in *England*; *Ireland* is kept unprovided for, that they may find roome in it when necessity drives them thither. If their hopes faile in *Ireland*, they have *New-England*, *Bermudas*, *Barbadas*, the *Carybi* Isles, the *Ile of Providence*, *Eleutheria*, *Lygonia*, and other places to retreat to, and lay up the spoiles of *England* in: nay, they usually send chests and vessels with mony, plate, and goods beyond Sea, with Passes from the two Speakers, *To let them passe without searching*: the Navy is in their power to accommodate their flight, and by their Instruments called *Spirits*, they have taken up many Children and sent them before to be Slaves and drudges to the Godly in their schismaticall Plantations: as the Turke takes up Tribute-children from the Christians to furnish his nursery of Janisaries: and so they have their Agents that buy up all the Gold they can get: *Cromwell* not long since offered 11000l. in silver for 10000l. in gold; besides, he is well furnished with the Kings Jewels taken in his Cabinet at *Naseby*, many of them known jewels, as the *Harry*, and the *Elisabeth*.

6. Nor shall the vulgar sort of *Independents* either in *Parliament*, *Army*, or *City*, fare better then the rest of the *Kingdome*. The *Grandeers* both of *Parliament* and *Army* endeavouring to ad-
journe the *Parliament*, and draw all the power of both Houses in-

5. The *Independents* provided of Places of retreat to flee to.

6. The vulgar *Independents* but props and properties to the *Grandeers*.

The History of Independency.

to the Committee of *Derby-house*, consisting but of 20. or 30. the rest of the Independent Members will find their power dissolved in the adjournment; and swallowed up by that Committee, and their services forgotten: nor shall they have any power in the *Militia*, which is the only quarrell between them and the King: the *Grandeess* disdaining to have so many Partners in that which they have got by their own wits; for know that the *Grandeess* have always been winnowing the Parliament. First, they winnowed out the moderate men under the notion of the *Kings party*; then the *Presbyterians*; and now they will winnow forth the lighter and more chaffy sort of *Independents*, who stand for the *Liberty of the people*; a thing which *Cromwell* now calleth, a fancy not to be engaged for; and so they will bring all power into their own hands. Thus having contracted the *Parliament* into a *Committee of Safety*, they will adjourne themselves (though the *Parliament* cannot) to *Oxford*, or some other place which they more confide in then *London*: and this is the settling the *Kingdom* without the King, they so much ayme at: and which they had rather the people should be brought to practically and by insensible degrees, then by *Declarations* held forth to them before hand, or by politicke Lectures in the Pulpit. Thus is it decreed that this Caball of Godly men at *Derby-house* shall with a *Military Aristocracy* or rather *Oligarchy*, rule this Nation with a rod of Iron, and break them in pieces like a *Potters vessell*.

Observe that the Ordinance by which the Committee of *Derby-house* is revived, and the additions of power to it, are purposely penned in such ambiguous tearms, that he that hath the *Sword* in his hand, may make what construction of them he pleaseth: neither were they clearly penned, is it in the power of the Houses (being but the Trustees of the people) to transfer or delegate their trust to a lesser number of men: a trust not being transferable by law, and the people having chosen a *Parliament*, not a *Committee* to look to their safety and peace.

7. The *Grandeess* of the *Parliament* and *Army* have brought the Kingdome to so miserable a condition, that they have left no Authority in *England* able to settle peace: the King is a close Prisoner to the *Army*, therefore all he shall doe will be, clearly void in law by reason of *Dures*: The *Parliament* is in Wardship to them, who keep armed Guards upon them, Garrisons round about

7.
The Army hinders
Peace and
Settlement.

bout them, and by illegall Accufations, Blancke Impeachments, threatning Remonstrances, and Declarations, &c. fright away many Members and compell the rest to Vote and un-Vote what they please, whereby all the Parliament doth is void and null in Law *ab initio*, it being no free Parliament but a Sub-committee to the Army, and living as the Egyptians did under vassalage to their own *Mameluchi* or Mercenaries: The people therefore must resolve either to have *no Army*, or *no Peace*.

8. They have put out the eyes of the Kingdome, the two Universities of *Oxford* and *Cambridge*, and have brought the whole Land to make sport before them, knowing that *Learning* and *Religion*, as well as *Laws* and *Liberties*, are enemies to their barbarous, irrational, and Russian way of Government. 8. The two Universities destroyed.

9. Many honest men took part with this Parliament, seduced by those fair pretences of *defending Religion, Laws, and Liberties*, which they first held forth to the people; and being unwilling to have a *Parliament conquered by the Sword*, not thinking it possible that a *prevailing Faction in Parliament* should so far prevaricate as to *conspire to enslave King, Parliament, and Kingdome, to subvert the Laws, Liberties and fundamentall Government of the Land*; under which they and their Posterity were, and were likely to be so hapily governed, and betray Religion unto Hereticks and Schismatics, and share the spoiles of the Common-wealth between them, and think of enriching themselves with them in foraine lands; yet many at the beginning much disliked that Religion should be used as an ingredient to the carrying on of a *Civill War*, and that Schismatics should have so great a stroke in managing the business: yet were pacified with this consideration, that we must refuse no helps in our defence: if a man be assaulted by Thieves on the high way, he will not refuse to joyne with Schismatics or Turks in a common defence; the same authority that then countenanced those Schismatics (it was hoped) would be able to discountenance them again when the work was done. But the *Grandees* of the Houses (having other designes) had so often purged the Houses, that they left few honest moderate men in them to oppose their projects, till bringing in Schismatics and men of their owne interests, by enforced & undue Elections, into their rooms; and so by insensible degrees, new modelled the House suitable to their owne corrupt desires, and new modelled this Army accordingly: so that the 9. Many honest men seduced by faire pretences, took part with them; never intending to leave their first principles, and enslave King, and Kingdome.

people (who had no intention to be intrusted so far) were step by step so far engaged before they were aware, that they could not draw their feet back, and do now find (to their grief) that the Bit is in their mouths, the saddle fast girt on their galled backs, and these Rank riders mounted; who will spur them (not only out of their Estates, Lawes, and Liberties) but into Hell with renewed Treasons, new Oaths, Covenants and Engagements, if they take not the more heed, and be not the more resolute: they have changed their old honest principles, and their old friends, who bore the first brunt of the businesse; and have taken new principles and friends in their roome, suitable to their present desperate designs, and now (that they have squeezed what they can out of the Kings party) they think of sequestering their old friends, because they adhere to their old principles.

10.
Who are the
King's bitterest
enemies.

10. Amongst those that are most bitter against the King, his own Servants (especially the *Judasses* of the Committee of the Revenue that carry his purse, and have fingered more of his money and goods then they can or dare give an account for) are the greatest Zealots, those that take upon them employments about his Revenue, and share what allowances to themselves they please for their pains; those that buy in for trifles old sleeping pensions, that have not been payed nor allowed this thirty years, and pay themselves all arrears: those that rent parcellis of the Kings Revenue, for the eighth or tenth part of the worth, as *Cor: Holland*, who renteth for 200*l. per annum*, as much of his Estate as is worth 1600*l. or* 1800*l. per annum*: Thus you see the Lion (Lord of the Forrest) growing sick and weak, become a prey, and is goared by the Oxe, bitten by the Dog, yea and kicked by the Ass; Look upon this president you Kings and Princes, and call to mind examples of old, that of *Nebuchadnezzar* & others, *lest by exalting yourselves too high, you provoke God to cast you too low.*

The Epi-
loguc.

I Am not Ignorant that there is a naturall purging, a naturall phlebotomy, belonging to politicke, as well as to naturall bodies: and that some good humours are alwaies evacuated with the bad, yet I cannot but deplore what I have observed, That the honestest and justest men of both sides (such as, if they have done evill, did it because they thought it good; such as were carried aside with specious pretences, and many of them seduced by pulpit-Devils who transformed them-
selves

selves into Angels of light) have alwaies fared worse then other men, as if this difference between the King & Parliament were but a syncretismus or illusion against honest men: nay, I do farther foresee that in the period and closing up of this Tragedy, they will fare worst of all, because they have not taken a liberty to enrich themselves with publick spoyles, and sat themselves by eating out the bowels of their mother, but are grown lean and poor by their integrity; whereby being disabled to buy friendship in the daies of trouble, they will be put upon it, to pay other mens reckonings: When Verres was Prator of Sicily he had with wonderful corruptions pillaged that Province; and at the same time the Prator of Sardinia being sentenced for depeculating and robbing that Province, Timarchides, Verres correspondent at Rome, writ a very anxious Letter to him, giving him warning of it: But Verres in a jolly humour answered him, that the Prator of Sardinia was a foole, and had extorted no more from the Sardinians then would serve his own turn; but himself had gathered up such rich Booties amongst the Sicilians, that the very overplus thereof would dazle the eyes of the Senate, and blind them so that they should not see his faults: such (I foresee) will be the lot of the more just and modest men, who shall be guilty because they were fools; as the other sort shall be innocent because they were knaves: whatsoever befalls (you cleer and innoxious souls) be not ashamed, be not afraid of your integrity: if this Kingdom be a fit habitation for honest men, God wil provide you a habitation here; if it be not capable of honesty, God will take you away from the evils to come, and poure out all the vials of his wrath upon this totally and universally corrupted Nation, this incurable people; Qui nec vitia sua nec eorum remedia ferre potest: for my own part, (if I am not such already) I hope God will make me such a man, Quem neque pauperies, neque mors, neque vincula terrent; and if Moses in a heroick zeal, to draw a remission of the peoples sin from God, desired to be blotted out of his booke, (the booke of life) and S. Paul to be Anathema for his brethren, why should not I (with relation to my self, & submission to Christ) say, oportet unum mori pro populo, it is fit one man die for the people, and devote my self to death for my Country, as the Family of the Decii in ancient Rome were wont to do? I have read and admired their examples, why not imitate them? is it because (as Machiavell saith) the Christian Religion doth too much break, enfeeble, and cowardize the spirit of man, by persecuting
and

& subduing nature by denying her due Liberty, & tying her to be more passive then active: At facere & pati fortia Romanum, imo Christianum est: or is it because in this generall deluge of sin and corruption, all publick spirit, and all excellency in virtue is accounted a degree of madnessse? or is it because of the corrupt Judgement of these times, which makes a man more infamous for his punishment, then for his sin? and therefore Heroick acts are out of fashion; the Circumstances and Ceremonies of death, are more taken notice of then Death it self: these follies weigh not with me. Sublimis an humi putrescam, parvi refert. The thief upon the Crosse found a ready way to Heaven: how much more an honest man? many a man out of prison steps into Heaven, no man out of Paradise ever found the way thither: Salebrofa sit via, modo certa, modo expedita; alte succinctus ad iter me accingo.

THE premises considered, I do here in the name & behalf of all the free Commons of England, declare and protest that there is no free nor legall Parliament sitting in England; but that the two Houses sit under a visible, actuall, and a horrid force of a mutinous Army, and of a small party of both Houses conspiring and engaged with the said Army, to destroy, expell and murder, with false Accusations, and blank and illegall Impeachments and Prosecutions, the rest of their fellow Members, who sate in Parliament doing their duty, when the two Speakers with a small company of Members secretly fled away to the Army, and sate in Councell with them, contriving how to enslave King, Parliament, City, and Kingdome, and how to raise Taxes at their pleasure, which they share amongst themselves and their party, under the name and title of the Godly, the Saints: And afterwards they brought the Army up to London, against the Parliament and City in hostile manner; A designe far exceeding the Plot of Jermin, Goring, &c. to bring up the Northerne Army to London to overawe the Parliament: I doe farther protest, that the two Houses have sate under the said force, ever since the 6. of Aug. last; and therefore all they have done, and all they shall doe, in the condition they now sit in, is void and nul in Law, *ab initio*, by their owne doctrine and judgement included in their Ordinance of the 20. of Aug. last; whereby they nul and void, *ab initio*, all Votes, Orders, &c. passed from the 26. July 1647. to the 6. Aug. following.

F I N I S.

